No. 86

Office-Supreme Court, U.S.
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SUPPLEMENTAL TRANSCRIPT OF RECORD.

UNITED STATES
COURT OF APPEALS
FIFTH CIRCUIT

No. 16,609

THE CRUMMER COMPANY and R. E. CRUMMER & COMPANY,

Appellants,

versus

JESSIE BALL duPONT, ETC., ET AL.,

Appellees.

Appeal from the United States District Court for the Northern District of Florida.

(SUPPLEMENTAL RECORD RECEIVED DEC. 13/57.)

U. S. COURT OF APPEALS
FILED

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Received Dec. 21, 1957.

Law Offices

Hall, Sweeny & Godbee
Whitehair Building
DeLand, Florida

Warren E. Hall, Jr.
James H. Sweeny, Jr.
John R. Godbee, Jr.
William E. Sherman

December 18, 1957

Louis A. Cazes, Esquire
Assistant Clerk
United States Court of Appeals, Fifth Circuit
P. O. Box 23
New Orleans, Louisiana

Re: Crummer v. duPont—No. 16609.

Dear Mr. Cazes:

To correct the omission on page 985 of the printed transcript of the record in this case of the testimony of George Moore (pages 459 through 571 of Volume II of the record of Trial in the District Court for January 16, 1957), the appellants and the appellees have agreed that such testimony should be printed as a supplement to and as a part of the transcript of record herein.

Attached is a copy of appellees letter confirming this verbal agreement.

Through no fault of your office or the printer, these pages of testimony, though indexed as part of the rec-

ord certified to the Court of appeals, were inadvertently omitted from the volumes delivered to your office and were not received by you until. transmitted in their original form, as duplicates of the spirit copies constituting the original record, by our letter of December 11, 1957 first authorizing the printing of this supplement upon appellees verbal agreement.

Please attach a notice on page 985 of the printed transcript to the effect:

"The testimony of George M. Moore printed as a supplement to and part of this record, should follow line 14 and precede line 15 of this page."

It is suggested that this letter, together with its attachment, be printed in explanation of the supplement.

Sincerely,

WARREN E. HALL, JR.,
(Warren E. Hall, Jr.).

WEH:dm
Enc.
c.c. Davisson F. Dunlap, Esq.
Of Counsel for Appellees.

Adair, Ulmer, Murchison, Kent & Ashby

Barnett Bank Building
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Henry P. Adair (1883-1958)
Herman Ulmer
Charles H. Murchison
Frederick H. Kent
Clarence G. Ashby

Wm. Alonzo Carter
John W. Ball
Herman Ulmer, Jr.
Davisson F. Dunlap
W. Sperry Lee
James S. Taylor
Robert B. Hanking
Macon M. Arthur
James H. Bastian
John D. Corse
William T. McInarnay
Gilchrist B. Stockton, Jr.

Address reply to:
Jacksonville, Florida

December 11, 1957

Mr. Warren E. Hall, Jr.,
Hall, Sweeny & Godbee
Whitehair Building
DeLand, Florida

Re: Crummer.

Dear Warren:

In a telephone conversation of this date, you informed me that there had been omitted from the original certified record which was filed in the Court of Appeals in and for the Fifth Circuit in the Crummer case, the testimony of George M. Moore, being in the record at pages 459 to 571 inclusive.

This letter will signify agreement on behalf of the appellees that such testimony was a part of the original record and they have no objection to this testimony being printed in an additional supplement to the

printed record, in accordance with the original testimony given at the trial by Mr. Moore.

Sincerely yours,

DAVISSON F. DUNLAP,

(Davisson F. Dunlap).

DFD:ms

Thereupon, GEORGE MANSFIELD MOORE, a witness called and duly sworn for and in behalf of the Plaintiffs, was interrogated and testified as follows:

Direct Examination.

By Mr. Dixie:

Q. Will you please state your full name to the Court and jury?

A. George Mansfield Moore.

Q. Mr. Moore, what is your business at the present time?

A. I'm a Commissioner of the United States Civil Service Commission.

Q. You are a member of the U. S. Civil Service Commission itself?

A. Yes, I am.

Q. At this time?

A. Yes, I am.

Q. Mr. Moore, where do you live?

A. I live in Silver Springs, Maryland.

Q. Are you a man of family?

A. I have a wife and three boys.

Q. Other than your position with the Government of the United States, would you please state what, if any, profession you have?

A. I'm an attorney.

Q. Mr. Moore, when were you admitted to the bar?

A. I was admitted to the bar in 1940, in the State of Kentucky.

Q. In the State of Kentucky?

A. Yes, sir.

Q. Is Kentucky your original home?

A. Yes, sir, it is.

Q. Mr. Moore, in the year 1945, what was your employment?

A. I was an investigator with the Senate Judiciary Committee.

Q. Is that the committee headed by—who was the chairman of that committee?

A. Senator Pat McCarran, of Nevada.

Q. Senator Pat McCarran?

A. That's correct.

Q. Now, then, was—were you a full time investigator for the Senate Judiciary Committee as a whole at that time?

A. Yes, I was.

Q. Now, then, in the year 1945, did you receive an assignment to make any investigation with reference to the SEC and Post Office Department, in connection with the activity—their activity, investigating the Crummer people?

A. Yes, I did.

Q. From whom did you receive such an assignment?

A. Senator McCarran, the chairman of the full committee.

Q. Do you know at that time under what Senate Resolution or other authority this particular investigation was being conducted?

A. As I recall it, it was under S. Res—Senate Resolution 25—or 35. I've forgotten exactly the number—

approved by the Senate, after having been approved by the Senate Judiciary Committee.

The Court:
You've got it there. What is the number?

Mr. Dixie:
Senate Resolution 35—

The Court:
35?

Mr Dixie:
—I believe, is correct, Your Honor.

The Court:
All right.

By Mr. Dixie:

Q. Now, Mr. Moore, in just a few words, please tell us, briefly, what was the nature of your assignment to investigate? What were you supposed to investigate?

A. The nature of the assignment related to the purpose of the resolution, and the purpose of the resolution was to determine the effect of the investigations by the Securities and Exchange Commission and the Post Office Department on the sound financial integrity of the taxing units of the State of Florida, and to determine all facts pertinent thereto, and any information which would be of value to the Congress of the United States, to apprize them of the situation.

Q. Now, pursuant to that assignment, I want to ask you, first, whether or not, on or about March the 13th through the 15th, whether or not you came to Florida and conducted any investigation at Orlando, Florida?

A. Yes, I did.

Q. Where were you when you conducted that investigation?

A. I was in Orlando.

Q. And at what place in Orlando?

A. Aside from the hotel in which I stayed, I was in the offices of The Crummer Company, as well as the offices of other interested parties and parties who knew about this case.

Q. All right. Now, then, I'm going to read to you a group of names solely for the purpose of inquiring of you whether or not you asked these gentlemen any questions about the matter that you were investigating:

Honorable—well, Mr. Doyle Carlton, Mr. Pat Whitaker, Mr. J. W. Hunter, Mr. George W. Scofield, Mr. John S. Burke, Mr. John R. Beacham, Mr. Thomas W. Conely, Sam D Fitzsimmons, Evans Crary, Roy R. Raulerson, D. E. Arries.

Does that list of names register in your memory, please, Mr. Moore?

A. They are familiar, as witnesses who were interrogated by me during that investigation.

Q. Do I understand generally that your inquiry from these gentlemen was anything they could tell you about the effect upon Florida municipal financing as a result of the SEC and Post Office investigations?

A. That is exactly correct.

Q. Now, then, I want to ask you, after you left Orlando, whether or not, on or about March 22 and 23 of 1945, you went to Philadelphia to conduct further investigation?

A. Yes, I did.

Q. At Philadelphia, did you take any testimony?

A. Yes, I did.

Q. I want to ask you whether or not, at Philadelphia, did you interrogate Mr. Thomas B. Hart, the SEC regional administrator at Chicago?

A. Yes, I did.

Q. Please state whether or not you interrogated Mr. Alexander J. Brown, an SEC attorney at Chicago?

A. I did.

Q. I'll ask you the same question with reference to Mr. George Reutell, an accountant in the Chicago SEC office?

A. I did.

Q. I'll ask you the same question with reference to one Mr. Robert S. Reuben?

A. I did.

Q. I'll ask you whether or not, on that occasion, you interrogated Mr. E. J. Mansfield, the Post Office Inspector?

A. Yes, I interrogated Mr. Mansfield.

Q. Now, then, in the interrogation that you made of these gentlemen, please state whether or not it was put down in writing by a Court Reporter?

A. Yes sir, all of the testimony was reported similar to the way in which this testimony is being reported.

The Court:

I expect you'd better get back yonder, so your jurors can hear him.

Mr. Dixie:

Thank you, Your Honor.

The Court:

That's one reason for having counsel stand in the corner over there when they ask questions. The acoustics in this room are poor.

By Mr. Dixie:

Q. Were those gentlemen sworn by you when you interrogated them?

A. Yes, they were; they were under oath.

Q. By the way, I would like to ask you this question on the side: As an investigator for the United States Senate Committee on the Judiciary, did you have the right or power of the issuance of subpoenaes to compel persons to give you testimony?

A. Under authority of that resolution, there was provision for the issuance of subpoenaes, which power was delegated to me.

Q. Now, then, for what purpose did you go interrogate those gentlemen, and what were you looking for?

A. I was trying to determine the nature and source of the complaint upon which their investigation was based.

Q. Mr. Moore, I'm now going to place in your hands an exhibit that is in this record, and is known as Volume 2 of the Green Books. I'm going to ask you particularly to start with page 978, and examine briefly the following pages through page 999, and my first queston to you, Mr. Moore, is did you, at my request, examine those pages for the purpose of refreshing your memory before you came to this Court house this morning?

A. Yes sir, I did.

Q. Now, I want to ask you whether or not the testimony printed on those pages that I gave you represents the testimony that those gentlemen gave you when you interrogated them in Philadelphia, in March of the year 1945?

A. Yes, it is.

Q. During the course of your interrogation did you ask those gentlemen what was the source of the complaint which brought about that investigation?

A. I did.

Q. Mr. Moore, I direct you to Page 978, in the testimony of Mr. Thomas B. Hart—your question and his answer—and I want to first ask you to please follow me in the reading of that question and answer.

"Q. About what date was that investigation initiated by the Commission or any of its regional officers, or on what was the date the Chicago office became interested in the investigation?"

Answer by Mr. Hart:

"To the best of my recollection it would be about the month of March, 1942. May I explain how the matter first came to my attention?

"Q. Yes, indeed.

"A. The matter first came to my attention, as I recall, through a broker-dealer inspection that was made of one or the other of these Crummer companies by our Atlanta office, and they made a partial inspection, I believe, of the Crummer companies in Florida. During the course of that inspection they found that the greater part of the books and records were in Chicago and not in Florida, and when that information was conveyed, I believe to the Atlanta office or it may have been Washington or Philadelphia, that these records were there, we then sent men from our office to conduct that investigation.

"Now when you mentioned about the investigation of the Crummer companies, I want you to understand, Mr. Moore, that it started out as a broker-dealer inspection matter. As a result of making that broker-dealer inspection certain matters came to our

attention which indicated possible fraud in the provisions of the Securities Act and the boys in the office—I think Messrs. Reutell and Butler, who are accountants, by the way—and they were afterwards instructed to make an investigation into these affairs.

"And then several months after the accounting phase was completed, further study was made of the investigation that had been made and I advised an attorney to work up the case with the accountants, and I advised Mr. Alexander J. Brown, Jr. to the case with the accountants."

Mr. Moore, did you follow me in the reading of those questions and answers?

A. Yes, I did.

Q. Please state whether or not that information was given to you by Mr. Thomas B. Hart, upon his oath.

A. Yes, he testified to the statement that you read, under oath.

Q. Did any of the SEC people ever state to you or admit in any way that the origin of their investigation came from any private complaint by any party?

A. No, they did not.

Q. Were you able to learn of anything in the nature of a charge or complaint having caused the SEC investigation to get started?

A. No.

Q. Please state whether or not you had any information other than the SEC's investigation started as the result of a broker-dealer inspection of the Crummer people made by the SEC?

A. I had none and I tried diligently to find out.

Q. All right, now; on the same occasion at Philadelphia that you interrogated Mr. Mansfield?

A. Yes, I did.

Q. I will show you another exhibit, page 87, beginning at the bottom of page 87, please, Mr. Moore, and note the writing in this volume, one of the Green Books:

"Excerpts from testimony before George M. Moore, Investigator, U. S. Senate Judiciary Committee"

and thereafter, there appears a series of questions and answers by you, addressed to Mr. Mansfield.

After looking that over, I want to ask you, first, whether or not before you came to this hearing this morning—whether or not I requested that you examine that particular testimony by Mr. Mansfield and refreshed your memory and put yourself in position to tell us whether that is the testimony Mr. Mansfield gave you on that occasion.

A. You did.

Q. Did you examine it; and what are the facts about that?

A. I examined it and I find it to be the testimony given to me by Mr. Mansfield.

Mr. Dixie:

If Your Honor please for the purpose of continuity, I now ask leave to read into the record the testimony that Mr. Mansfield gave, which is brief.

The Court:

All right, sir.

Mr. Dixie:

This is questions by Mr. Moore, and this is the year, 1945, gentlemen.

"Q. Mr. Mansfield, will you please give your complete name, title and the regional office out of which you work?

"A. E. J. Mansfield, Post Office Inspector, attached to the Atlanta Division. That covers it, I believe."

Question by Mr. Moore:

"The Securities Exchange Commission has advised us that their investigation was instigated or their inspection was instigated upon information from the Post Office Department regarding the activities of R. E. Crummer & Company. I wonder if you would tell the Committee, please, the source of your information with respect to an alleged fraud by R. E. Crummer & Company in their relationships with the Florida taxing units."

Answer by Mr. Mansfield:

"Before I reply to that question, let me ask you one myself.

"Is it not a fact that the statement which you take here will become public record and available to Mr. Crummer and his associates, who are under indictment in Kansas?"

Question by Mr. Moore:

"That will have to be answered by the Committee. I have no knowledge of whether they will or not. I do not imagine that they will. However, any action that the Committee sees fit to take with these records is not in my province to say."

Mr. Mansfield:

"What was your previous question?"

Mr. Moore:

"I merely asked the original calling or source of the material for the investigation of R. E. Crummer & Company."

Mr. Mansfield:

"It was a written complaint. The writer's name I do not recall, as my file containing that is in Florida."

Mr. Moore:

"Could you furnish the Committee with that information, sir, when you return to Florida?"

Mr. Mansfield:

"Yes."

Mr. Moore:

"About what date did you begin the investigation?"

Mr. Mansfield:

"The case was assigned first to two or three different inspectors. My recollection as to the date on which it was assigned to me, and on which I began the investigation, is quite indefinite. It was probably about the summer of 1942, I believe."

Mr. Moore:

"What operations of the Crummer company, with which taxing units were you investigating or have you investigated since your investigation started?"

Mr. Mansfield:

"At this stage I think I had better make a further statement. If you are interested in personal facts about Mr. Crummer and his associates you will find some of them stated by the Supreme Court of the United States."

Mr. Moore:

"Let me repeat the question. What operations of the Crummer company, with which taxing units of the State of Florida, were you investigating or had been investigated since your investigation started?"

Mr. Mansfield:

"You mean Mr. Crummer or as to the taxing units?"

Mr. Moore:

"The taxing units. Could you name the taxing units?"

Mr. Mansfield:

"We made no investigation of any taxing units."

Mr. Moore:

"The taxing units involved in certain operations of the R. E. Crummer Company?"

Mr. Mansfield:

"We were investigating R. E. Crummer's activities."

Mr. Moore:

"With which taxing units, sir?"

Mr. Mansfield:

"We were not investigating the taxing units. I want that clearly understood."

Mr. Moore:

"I think you have made that clear."

Mr. Mansfield:

"I don't know that I will recall all of them offhand, but I have made some investigation of Crummer's activities in connection with the Panama City refunding and the Citrus County refunding, for both of which activities they are under indictment in Kansas; and to a limited extent, some four or five other counties and towns."

Then after some questions and answers, I will drop down to the last one.

Mr. Mansfield:

"I refuse to make any statements which might become available to and be of assistance to these defendants under criminal proceeding. Now that is all of the record, nothing further."

Mr. Moore:

"All right, sir; thank you very much."

The Witness:

"You are very welcome."

By Mr. Dixie:

Q. Now, Mr. Moore, I note in that testimony that Mr. Mansfield told you that the origin of his investigation was a written complaint that he had in Florida

and not written in Philadelphia, and he could not recall the name, but that he would furnish it to you later.

A. Yes, he said that.

Q. Did he ever do it?

A. No, he did not.

Q. Did he give you an explanation as to why not?

A. No, he did not.

Q. Did you try to get it from him?

A. Yes.

Q. What other efforts did you make to try to learn the name or the identity of any person or persons who might have filed any charges or complaints which caused this post office investigation to get started?

A. I called on the Postmaster General of the United States, at that time a Mr. Donaldson, and I asked Mr. Donaldson, in furtherance of the wish of the Congress to investigate this matter, if he would furnish me and the committee with all of the information that he had concerning the impairment, possibly, of the Florida taxing units, and he refused to furnish the committee with any information, and particularly any letters upon which the so-called investigation of the Post Office Department was based.

Q. Did Mr. Donaldson advise you about any policy that the Post Office Department had, with reference to ever disclosing the name of any complainant?

A. Yes, he stated that it was the policy of the Post Office Department not to reveal the nature or the source or the complainant.

Q. All right, sir.

Now, Mr. Moore—

The Court:

Did he cite you the Federal Statute at the time?

The Witness:

Your Honor, there is no Federal Statute. It is possibly covered by executive order, but, in any event, in this proceeding, it was the view of the committee that he had it within his discretion if he wished to cooperate.

By Mr. Dixie:

Q. Now, Mr. Moore, you've told us—oh, after you completed your investigation, did you have the—all the testimony that you had taken written up in question and answer form?

A. Yes, it was.

Q. What did you do with the testimony that you took?

A. Well, under the provisions of the resolution—I believe you said it was 35—I had to report to the committee, because the committee was obligated to report to the Congress within thirty days.

Q. All right—

A. I—

Q. Now, the point I'm getting at is, what did you do with the record of the testimony that you took?

A. I submitted it to the committee.

Q. All right. I want to ask you whether or not, if you know, did the committee, in due course of time, submit it to the Congress?

A. Yes, it did.

Q. All right. Now, Mr. Moore, I want to ask you this question:

You've told us that you came to Florida in October of 1945, and you've told us that you went to Philadel-

phia in the same month of 1945, and you interrogated, under oath, the SEC people; you interrogated the Post Office Inspector; and you also interrogated the Postmaster General.

Were you at any time able to learn who it was that caused the Federal investigations to get started, if anybody?

A. No, I did not learn. I believe it was in March, wasn't it, of '45?

Q. Yes, I'm sorry, it was in March. I did not—

A. No, I did not learn.

Q. Well, did you learn that fact at any time during your investigation?

A. No.

Q. Were you able to learn that fact?

A. No, I did not.

Q. You did not.

All right. After you completed your assignment, did you continue to work on this Crummer matter at all?

A. Following the submission of the reso—of the report of the sub-committee, I did not.

Q. All right. That was the end of your contact with this Crummer matter—

A. Yes—

Q. —is that correct?

A. Yes,—yes, it is.

Q. In the several times that you and I have mentioned the word "committee" in my questions and your answers, we have been referring to the Committee on the Judiciary of the United States Senate, is that correct?

A. That is correct.

Mr. Dixie:

We pass the witness, Your Honor.

The Court:
Any questions, Mr. Crenshaw?

Mr. Crenshaw:
Yes sir, I would like to examine Mr. Moore a little.

Cross Examination.

By Mr. Crenshaw:

Q. Mr. Moore, do you have the first volume of the document you were reading from, Plaintiffs' Exhibit 2 originally—

A. I believe—

Q. —what we call the "Green Books"?

A. Yes, sir.

Q. You have stated that you were employed by the Senate sub-committee that was investigating these certain matters, is that correct?

A. No sir, I did not.

Q. By whom were you employed?

A. Senate Judiciary Committee.

Q. And that's a pretty large committee?

A. Yes, sir. For the purpose of clarification, the Senate Judiciary Committee assigned me to this particular work with this—under this resolution.

Q. Now, actually, this—

The Court:
Well, that, of course—what you want to prove is that it was a sub-committee that made the investigation of this Judiciary Committee.

The Witness:
Yes sir.

The Court:

That's what it was, and everybody knows it.

By Mr. Crenshaw:

Q. Now, how many Senators were there on this sub-committee?

A. My recollection is that there were three.

Q. Can you name them, sir?

A. I believe so: Kenneth Wheary, of Nebraska; Pat McCarran, of Nevada; and—the other Democrat escapes me. I think it was Eastland; it might have been Eastland.

Q. Hatch?

A. Hatch, Carl Hatch, of New Mexico.

Q. And you say Senator Pat McCarran was from Nevada?

A. I think everyone knows that, sir.

Q. Did it ever come to your information that Mr. Roy E. Crummer was a resident of Nevada and a constituent of Nevada?

A. If it did, it was of no significance to me.

Q. Have you learned it subsequent to that time that you made the investigation?

A. You mean—are you asking me when I learned that Mr. Crummer was a resident of Nevada?

Q. No, I'm asking if, subsequent to your work for this committee, have you learned that Roy E. Crummer was at that time a resident of Nevada?

A. I wouldn't say I learned it; I've heard it.

Q. Now, will you please turn to Page 1 of Plaintiffs' Exhibit Number 2, the first volume of the Green Books.

A. Page 1.

Q. Where it sets forth the text of Senate Resolution 35 of the 79th Congress?

A. Yes.

Mr. Crenshaw:

Your Honor, I would like to read one short paragraph of the Resolution that will—

The Court:

You may do so.

Mr. Crenshaw:

—give us the purpose of that committee.

I want you to follow me, Mr. Moore, in the reading of this:

"Resolved, that the Senate Committee on the Judiciary or any duly authorized sub-committee thereof, is authorized and directed to make a full and complete study and investigation of the activities of the Securities and Exchange Commission and Post Office Department, or any representative thereof, with a view of determining whether (a) the activities of said agencies, through their representatives, are crippling, hampering, or rendering ineffective the Municipal Bankruptcy Act, as amended, heretofore enacted by Congress; and (b) whether or not the activities of said agencies, through their representatives, are unfairly resulting in undermining the credit of the taxing units of the State of Florida."

Did you follow me in the reading of those two purposes, a and b?

The Witness:

Yes sir, I did.

By Mr. Crenshaw:

Q. Namely, to see whether the SEC or the Post Office Department were interfering with the operation of the Bankruptcy Act, and whether the financial matters of these Florida taxing units were being hampered?

A. That's correct.

Q. Now, tell me, Mr. Moore, please explain to me why you wanted to know the name of the person that started the Post Office Department investigation or the SEC investigation?

A. Well, I can think of several reasons.

First, it's like determining intent. In other words, the committee is interested in all resolutions, including this one, in the intent of whatever matter is being investigated.

Q. Well, it is part of the facts?

A. It is part of the background necessary in order to have the committee properly determine and weigh the evidence.

Q. All right, that's number one.

You say that the name of whoever started it might have something to do with the intent of the Federal Agency. What's the second reason?

A. It's possible; and the second reason is, to determine all the facts in connection with any matter which is under investigation, which might be of interest to the Congress.

I think it was the intent of the authors of this resolution, the two Senators from Florida, to determine all of the facts with respect to this entire procedure.

Q. Now, will you turn to page 89 of that same document.

Mr. Crenshaw:

Your Honor, I would like the Court's indulgence to read about ten lines that were omitted from the part that Mr. Dixie wrote, where Mr. Moore was interrogating Mr. Mansfield.

The Court:

That Mr. Dixie read, not wrote.

Mr. Crenshaw:

Yes, Mr. Dixie read.

The Court:

All right.

Mr. Crenshaw:

And it's out of order, and I don't want to waive my case in chief on what Mr. Mansfield testified, but I think it will benefit everybody if it comes in right here.

The Court:

All right, sir, read it. You're reading from the testimony of Mr. Mansfield?

Mr. Crenshaw:

Yes, sir.

The Courrt:

And it's part of his testimony, and what you're reading lies between parts that Mr. Dixie read.

Mr. Crenshaw:

That's it.

The Court:
All right, proceed.

By Mr. Crenshaw:
Q. I think I'd better ask the last answer that Mr. Mansfield gave, and which Mr. Dixie read, to tie it up.
Question by Mr. Mansfield—answer by Mr. Mansfield when he was interrogated by Mr. Moore:

"I don't know that I will recall all of them offhand, but I have made some investigation as to Crummer's activities in connection with the Panama City refunding, the Citrus County refunding, for both of which activities they are under indictment in Kansas, and to a limited extent some four or five other counties and towns."

Now the first omitted question by Mr. Moore:

"Do you know whether these four or five other taxing units to which you refer, but which you have not named, were involved in bankruptcy proceedings at the time you were investigating?

"Mr. Mansfield:
"Well, now, I am going to tell you now that I will be glad to give you, off the record, all the information which in my opinion is within the purview of this resolution and can properly be developed in view of the situation in the criminal Court under this resolution Number 35, but for reasons which I feel sure have been explained to you I will not permit the further record to be made of this interview.

"Mr. Moore:

"Let me get this clear. As I recall, the last question I asked you involved units which are not concerned with the indictment in Kansas. In other words, you refuse to make any statement with respect to your investigation regarding other taxing units in the State of Florida?"

Then Mr. Dixie asked the question, or read the statement, rather, that Mr. Mansfield then said:

"I refuse to make any statement which might become available and of assistance to these defendants under criminal proceeding. Now that is all of the record, nothing further."

"Mr. Moore:

"All right; thank you so much."

Mr. Moore, when you were employed by the Senate Judiciary Committee and assigned to this subcommittee, did you have any conferences with any people to give you suggestions as to where you might start your investigation and, if so, with whom did you confer? How did you get started; that's what I would like to know?

A. Well, of course, you realize it has been twelve years.

Q. Yes, I am cognizant of the passage of time of twelve years.

A. As I recall it, to the best of my recollection, I believe we consulted with the two Senators from Florida.

Q That would be Senator Pepper and Senator Andrews at that time, would it not?

A. We consulted with the Post Office Department and we consulted with the Securities-Exchange Commission prior to the reporting of the testimony which you have alluded to; and then it became quite apparent that in order to investigate this matter fully it would be necessary to find out from the reputable citizens of the State of Florida who had quite a stake in this matter to determine their views, and for that reason they were present.

Q. Did you interrogate or take statements from some people in Florida?

A. I believe the list of the persons who were interrogated in Florida was read and they are a part of this record.

Q. Will you turn to—

A. The former Governor and—

Q. Will you turn to page 6 of Plaintiffs' Exhibit Number 2, the first volume of the Green Books?

A. Yes.

Q. Down about the middle of the page do you see Index of Testimony?

A. Yes.

Q. And then there are listed the following names: Doyle Carlton, Pat Whitaker, J. W. Hunter, George W. Scofield, John S. Burke, John R. Beacham, Thomas W. Conely, Sam D. Fitzsimmons, Evans Crary, Roy R. Raulerson and D. E. Arries; and those people are identified as a former governor, a former president of the Florida Senate, a county attorney from Lake County, a county attorney from Citrus County, a former representative of Pasco County, a Senator from Palm Beach County, the County Attorney of Okeechobee County, and the Clerk of the Circuit Court of Okeechobee County, the Mayor of Fort Myers, and a former Speaker of the House of Representatives.

Now how did you come to pick out those people to take statements from and interview in Florida?

A. Well, of course, we felt at the time that these—

Q. Now, just a minute. I want to know who is "we" that you are talking about.

A. The sub-committee—the committee, Senator McCarran, and the counsel of the committee and I.

Q. Who was counsel for the committee when you were doing this work?

A. Mr. J. Sourwine.

Q. J. G. Sourwine?

A. Yes.

Q. Now continue with your story.

A. Well, these were the persons who were indicated to us as those who probably knew more about the problem than anyone.

Q. Now who indicated that to you?

A. I don't know. No one indicated it to me. We, of course, had correspondence in our files in the committee. As a result of this it is possible it came through the Senators or Members of the House of Representatives from the State of Florida.

Q. Well, are you just surmising now where it came from?

A. Oh, well, I can say to you—you are asking me where it came from—I don't know. I was an investigator, employed to gather facts.

Q. All right. But you came down and you actually contacted those people in Florida; did you not?

A. Yes, I did.

The Court:

Well, let's go directly to the question. Who furnished you the names of these people?

The Witness:
The committee furnished me the names, sir.

The Court:
Your committee?

The Witness:
As I recollect.

The Court:
Your sub-committee?

The Witness:
That's my recollection now. Of course, I don't know where they got the names.

By Mr. Crenshaw:
Q. It is your testimony that you do not know where the committee got the names from?
A. No.
Q. That is your testimony?
A. I don't know; no.
Q. Now have you reviewed recently these pages that set out this testimony in this exhibit that runs through from page 6 through page 40—not quite to page 40—37, I believe it is. Will you thumb those hurriedly there?
A. Page 6? In the reporting of the testimony before me?
Q. Yes.
A. By these witnesses?
Q. Yes.
A. Yes sir, I have.
Q. Have you reviewed that briefly, Mr. Moore?
A. Well, I didn't memorize it. It has been twelve years. I am reasonably acquainted with it.

Q. And you have examined it within the last few weeks?

A. Well, I have looked at it. I haven't studied it.

The Court:

You didn't study it like the request Mr. Dixie made on you on the other?

The Witness:

Oh, yes.

The Court:

You studied it the same?

The Witness:

Equally, yes.

The Court:

All right, then.

By Mr. Crenshaw:

Q. Now, where were you, physically, when you took these statements?

A. It was in the office of Mr. Crummer's company, the R. E. Crummer Company in Orlando.

Q. In Orlando, Florida?

A. Yes.

Q. Did you talk with any employees of The Crummer Company or R. E. Crummer Company or Mr. Roy E. Crummer?

A. Yes, I did.

Q. And that was before you examined these people?

A. I don't recall that it was before I examined these people, no. I don't recall whether it was or it wasn't.

Q. Now, did you summons these people to come to Orlando and give their statements?

A. It was my understanding that—before I left Washington, that witnesses would be made available to me through the committee—regular committee processes.

Again I say to you, I was an investigator; I did not determine policy.

Q. Well, what I am trying to get at, did you personally direct any communication of any kind—

A. No.

Q. —to these people to be in Orlando at The Crummer Company office to be interviewed by you?

A. No, no.

Q. That was—do you know who did that?

A. No, but I do remember this, that—

Q. Well, now, just answer my question. Do you know—

A. Well, I—

Q. —who got those people there?

A. Well, I'm trying to—

Q. In response to that, I want the answer.

A. Do I know what?

Q. Do you know who arranged for these—

A. No, I do—

Q. —for these people to be there in Orlando when you got there?

A. Some of them I arranged for; some of them were arranged by someone I don't know.

In other words, the technique on investigation is to determine from witnesses that come to you who else would know about the facts, and I couldn't tell you today, twelve years later, whether, to the—Governor Carlton, I asked him if he knew of some other persons in—of high reputation in the state who might be able

to testify intelligently on this matter, and I do believe that several of these witnesses were secured through the process of asking some of the first witnesses, "Who else can tell about some of the taxing units of Florida?"

Q. All right. Let's get back to my question now.

First, you told me you didn't have any communication with these people that you interviewed to get them to Orlando to give their statements.

Now you tell me that you did have some communication with some of them.

Is that your testimony?

A. No, I didn't say that.

Q. Well, what is your testimony with respect to that?

A. My testimony with respect to that is that when I arrived in Orlando, and began to try to determine the facts in this matter, there were some there who knew about these facts, representing the taxing units of Florida.

Q. Waiting for you when you arrived, or they were made available to you soon after you arrived?

A. Well, I found them, and—

Q. Where did you find them?

A. In the office of Mr.—of the R. E. Crummer Company.

Q. All right, sir. Now, then—

A. Then—I mean, you asked me a question. Let me finish it.

Q. I'm glad to let you finish it.

A. Now, as I say, I recall, I believe, that some of the first witnesses whom I interrogated said, perhaps, "I believe that there is a so-and-so down here in Lake County," or some other place, "that would know about it," the problem of the impairment of

the taxing units, and I asked if they would come up so we could examine them.

Q. And they did come up to Orlando, Florida?

A. To the best of my recollection.

Q. Yes sir. Do you know a Mr. Robert J. Pleus, an attorney, of Orlando, who represented R. E. Crummer & Company, or The Crummer Company?

A. Yes, I do.

Q. Can you tell us about when you first made his acquaintance?

A. I believe it was the day that I arrived in Orlando, in March of 1945.

Q. Did you ever know a Mr. Joseph P. Lea, Jr., who was a "house attorney," as some lawyers use the phrase, meaning he was full time attorney for The Crummer Company, and sometimes represented R. E. Crummer & Company and he, along with Mr. Pleus, Mr. Whitehair and Mr. Dixie, all signed the complaint that started this antitrust case?

Did you know Mr, Lea?

A. I—I wouldn't know Mr. Lea if he walked in the Court room. It's possible I might have known him, but I—in answer to your question, do I know a Mr. Lea, I do not.

Q. Now, did you know Mr. Hewen Lasseter, this gentleman sitting right here, in about March of 1945?

A. I don't remember. It's possible. If he was with The Crummer Company in 1945, it's possible that I met him if he, at that time, was an official.

Q. You were speaking about an investigator. You say he gets one or two names, and then he—

A. Gets leads from those.

Q. Gets leads?

A. That's right, that's correct.

Q. And isn't it true, as a trained investigator, that, depending upon the difficulty of the matter you are investigating, and the scarcity of leads, that an investigator welcomes and wants leads?

A. Definitely.

Q. And if the informant can send him right to the heart of the thing, that's welcome too, isn't it?

A. Yes, indeed.

Q. And that's the kind of advice you were looking for when you were investigator for this sub-committee?

A. I was looking for anything that bore on the resolution that was then the source of the investigation by the committee.

Q. Now, did anybody, from the office boy right on up to Mr. Roy E. Crummer, that was in the offices of The Crummer Company, or R. E. Crummer & Company, in Orlando, in 1945, give you any leads and any assistance and help in the taking of the statements that are recorded in this exhibit?

A. I surely asked for it.

Q. And to be real honest—well, I know you're going to be honest, but isn't it a great probability that they did give you some help, if you can't recall it? Wouldn't you say that is a great possibility?

A. Well, certainly, why, certainly.

Q. And you welcomed it?

A. Certainly.

Q. Now, did anybody tell you down there in The Crummer Company that they had any idea who had started this criminal investigation, these activities of the Post Office Department and the Securities and Exchange Commission, against these Crummer companies?

A. No, all I believe that they thought, was that some postal inspector probably was trying to make trouble for them, possibly, and the SEC too.

Q. Wasn't the name "Ball-duPont interests" injected into the foreground as a suspected and likely instigator and starter of these investigations?

A. As I recall, the testimony that was given at the time by one witness indicated that—something about the Ball-duPont interests, and that's in here.

Q. Well, let's see what this says. Maybe—

A. It's in here somewhere.

Q. I know it's been a long time, Mr. Moore—

A. I—

Q. I'll try to refresh your memory a little bit.

A. I think one witness mentioned the Ball-duPont interests.

Q. All right, sir, let me ask you something.

Look at Page 7, and you see there's the commencement of a statement of Pat Whitaker, of Tampa, Florida?

A. Yes.

Q. And on Page 8, at the top of the page, about—right at the top of the page, there's a sentence that reads:

"Every known large commercial interest throughout the State was likewise favorable to the legislation"—that's talking about the Crummer legislation—"except the interests known as the duPont-Ball faction, which included politicians known to be closely dominated by the duPont-Ball crowd which energetically fought the enactment of the legislation."

Did you follow me in the reading of that?

A. Yes, I did.

Q. You don't dispute that that statement was made at that time, do you, sir?

A. No, I do not.

Q. Now, turn to page 11, merely to show you and refresh your memory that the testimony of George W. Scofield, of Inverness, Florida—that's Citrus County, to refresh your memory—was being interrogated by you.

You see his name there?

A. Yes.

Q. Now, skipping through his testimony, go over to page 14, and down about the middle of the page, a question by Mr. Moore:

"Did Edward Ball have any of these tax suits?"

A. That's correct.

Q. I know it's been a passage of twelve years, but I never know, unless I ask the question:

Can you tell me why you singled out the name of Mr. Ed Ball as having brought any of these tax suits?

A. Well, I imagine it was because, in some conversations, there might have been some alluding to the fact that Ed Ball might have been behind it.

Q. Now, after you asked that question, Mr. Scofield went into quite a long answer. You see that, sir?

A. Yes.

Q. Now, let me read to you, starting at the last paragraph on page 14:

"In the meantime, Walter Fuller had been down in Inverness conducting his investigation. At the 1941 session the Legislature had appointed an investigating committee which was generally understood was to investigate general bonding conditions. Anyway, Archie

Clement was chairman of the committee. When I introduced this bill in the House it was a local bill, but they got up—Archie Clements, Bill Leedy, and some others, and had my local bill referred to a committee. That is very discourteous to a member of the House, and contrary to custom, and I called James Conner, president of the city council, and told him if he wanted to have that bill passed he better get a delegation up there and see the governor and the attorney general and Ed Larson and Jim Lee, but I said, 'The first thing you do before you come up is call a meeting of the citizens and let them select the committee.' Next day they sent a committee of businessmen to Tallahassee.

"In the meantime, some fellow who was representing this commission in Florida"—that is talking about the federal investigator—

"talked to me about this bill several times and told me what a bad effect it would have."

Mr. Dixie:

Excuse me, Your Honor. Did counsel interpose?

The Court:

I think you interposed something in error there, Mr. Crenshaw—if that is what you are rising to object to.

Mr. Crenshaw:

Thank you, Mr. Dixie. I agree it was an error.

The Court:

Yes, sir.

Mr. Dixie:
Can we, Your Honor, hear the reading of that again now?

The Court:
Yes sir; let us hear it again.

Mr. Crenshaw:
I will be glad to do that.

Picking up with the sentence:

"Next day they sent a committee of businessmen to Tallahassee. In the meantime, some fellow who was representing this commission in Florida talked to me about this bill several times and told me what a bad effect it would have. I told him the City wanted it. I was not interested, but if they wanted it, I was going to pass it because I thought it was the thing. Finally, the Attorney General talked to me and told me it was just giving The Crummer Company a license to do business in Florida. I told him that was not the intent or purpose of the bill and tried to explain the purpose of the bill. He said, 'I can send you a man to handle that,' whom I thought was either Ed Ball or someone representing the Ball-duPont interests. I said, 'I am not interested in your sending me anybody.' This delegation came up and had a conference with the Governor and Ed Larson and Jim Lee. I do not know whether they saw Watson or not."

By Mr. Crenshaw:
Q. Now you don't doubt that Mr. Ed Ball or the Ball-duPont interests were mentioned there, do you?

A. No, I don't.

Q. Now, on Page 15 you see the commencing of the testimony of John S. Burke, of Dade City?

A. Yes, sir.

Q. That is down in Pasco County?

A. Yes.

Q. And he is described as—where they listed the index, that he was a former Representative of Pasco County in the Florida Legislature; and over on page 17 you asked this question of Mr. Bruke:

"Q. What relative position does The Crummer Company occupy among the bond dealers and brokers of Florida?"

Mr. Burke answered:

"In Florida I would say that about 95 per cent of the business in municipal securities is carried on by The Crummer Company and by the so-called duPont-Ball group. Of this 95 per cent it would be my opinion that two-thirds of this was done by The Crummer Company."

You don't doubt that the Ball-duPont interests were mentioned there, do you, sir?

A. No.

Q. Now turn over to page 18, at the conclusion of Mr. Bruke's statement you asked him:

"Do you have any further statement to make?"

Answer by Mr. Burke:

"I desire to impress upon your committee that I am not and never have been an employee of R. E. Crummer & Company and neither have I had any personal financial business in their business. I am very glad of the opportunity afforded of telling what

little I know concerning this matter, as my county and the citizens thereof are again in the throes of fiscal litigation which threatens our credit and our solvency, which I feel very strongly is inspired by the same interests which have consistently through the years fought the Crummer operations and which I feel are responsible for the Securities and Exchange Commission and the Post Office activities which your committee is attempting to study. It is more than possible that the success of your study will result in the relief which my county and the municipalities thereof so greatly need."

Now, Mr. Moore, you were trying to find out the name of the accuser, the name of the person who had signed the complaint that had started the Post Office investigation and the SEC?

A. That is correct.

Q. And here we have a former legislator from Pasco County telling you—and I quote again from this excerpt I have just read—

"and which I feel very strongly is inspired by the same interests which have consistently through the years fought the Crummer operations and which I feel are responsible for the Securities and Exchange Commission and the Post Office activities which your committee is attempting to study."

To whom do you think he was referring at that time?

A. Well, of course, again, twelve years ago, the word "Ball-duPont" meant nothing to me except that I had heard of the duPonts in Delaware and Ball, when it was mentioned to me, did not mean anything to me either. So if you are asking me what I thought,

it was like mentioning the Standard Oil Company or something that was vague and indefinite.

Q. Well, actually, reading that statement there doesn't it refresh your recollection that at that time he was talking about the Ball-duPont interests?

A. I answered that question sometime ago.

The Court:

Let me butt in there and ask you a question.

The Witness:

Yes sir.

The Court:

I am interested in that last answer you gave because of other testimony. I understood, on direct you testified that you made an effort, an earnest effort to find out who it was behind it—who it was that filed this complaint and who it was behind it.

The Witness:

Yes, that's correct.

The Court:

Then when you come to that testimony there, of that former Representative from Pasco County, and he opened the door to you to get that information or to give you a lead on that information what did you ask him about it? Did you skip it?

The Witness:

No. It was Mr. Burke, I believe.

The Court:

Yes, sir.

The Witness:
That answered the question, and so far as I can remember, Your Honor, he didn't have any further statement to make about it.

The Court:
Why didn't you ask him about it? You have testified now that you were making a serious effort to find out.

The Witness:
Yes sir, that is correct.

The Court:
And how much further did you pursue him in that respect?

The Witness:
I didn't pursue him any further.

The Court:
We are going to take a ten-minute recess.

(Whereupon, a short recess was had):

The Marshal:
Everybody rise. Court's now in session.

The Court:
Be seated, please.

Mr. Crenshaw:
May it please the Court—

The Court:

All right, sir, you may be seated, Mr. Crenshaw.

By Mr. Crenshaw:

Q. We had just finished your statement, Mr. Moore, on page 18, where you had requested Mr. Moore, if he had any further statements to make, he made that one statement, about which—

Mr. Whitehair:

Correction: Mr. Burke.

By Mr. Crenshaw:

Q. Mr. Burke—thank you, Mr. Whitehair—Mr. Burke made that statement, and there was no more questioning about that.

Now—by you of Mr. Burke, that is.

Now, you see, on that same page 18, you then had before you Senator John R. Beacham, described as a member of the Florida State Senate, and also a member of the Shands Investigating Committee appointed by the 1943 Session of the Florida State Legislature, to investigate bond refunds, economies in the operation of the State Government, bond refund matters, and other ancillary matters.

Now that we have Mr. Beacham identified, will you turn over to page 20, sir, and about the middle of the page, you asked this question, Mr. Moore:

"Senator Beacham, in your connection with the Shands Committee, what hearings or investigations did you conduct?

"A. As chairman of the subcommittee of that committee, I called a meeting at Key West.

"Q. For what purpose?

"A. To investigate the responsibility of the Crummer refunding, the ability of the municipality and county to pay and all the ramifications that go with a refunding proposition.

"Q. What were the findings of your sub-committee?

"A. We found that the officials were thoroughly satisfied with the Crummer contract, and also the bondholders, and after we had made an exhaustive report, I might say that there was a meeting of minds and his proposition was put into effect. The only objection that this committee encountered was an objection by a competitive bonding company, together with the attorney general.

"Q. What was the name of the bonding company?

"A. The duPont-Ball interests.

"Q. Who is the head of this organization?

"A. Edward Ball.

"Q. Where is he located?

"A. Jacksonville.

"Q. Is his company a bonding company?

"A. I so understand.

"Q. And engaged in operations similar to those of The Crummer Company?

"A. I so understand."

Now, skipping down about half an inch from the bottom of page 20, you asked this question to Senator Beacham:

"What were the activities of these Government agencies to which you refer?

"A. I found that these agencies had canvassed by letter certain of the bondholders in which they carried false statements about the State having assumed

these bonds. In another letter in which they stated that the State had appropriated sufficient money to pay these bonds off in full. I believe there were four or five different type letters, all of which were so framed as to lead the investor to believe that he had not been treated fairly in the refunding, if the contents of the letter had been true—which was not.

"Q. These agencies were the Securities Exchange Commission and the Post Office Department?

"A. That is correct. I then realized that they were beyond answer to our subpoena. The next step the committee took, I went to Washington and laid the case before Senator Pat McCarran, who is chairman of the Judiciary Committee of the Senate. I explained in detail what the committee was up against, and appealed to him to conduct such investigation as he saw necessary to save the taxing districts and the taxpayers of this State from any unnecessary harassing, and to stop any activities that might undermind the refunding of our various taxing districts and credit."

Now, Mr. Moore, apparently, you learned, from Senator Beacham's answers, that he had been the member of a little committee down here in Florida, and he had checked into some of these refunding matters?

A. I understand that he had.

Q. And then he told you that he had gone to Washington to see Senator Pat McCarran, to see if the United States Senate couldn't help them out in some way, and there he was, on that same day, having told you of his great interest, testifying, or stating, on Page 20, that the duPont-Ball interests were competing with The Crummer Company, and that

Edward Ball, in Jacksonville, Florida, was connected.

Did you ever; while you were in Florida, go to see Mr. Ball?

A. No, I did not.

Q. All right, sir. Now, turn over to page 22. You'll see there, near the middle of the page, you were taking the testimony of Thomas W. Conely, Jr., an attorney at law, and attorney for the Board of County Commissioners of Okeechobee County, Florida, and Chairman of the State Democratic Executive Committee; that's the way he was identified.

The last paragraph at the bottom of page 22 reads as follows:—and I might say he has been talking about a contract to refund Okeechobee County bonds —quoting Mr. Conely's testimony:

"After the agreement had been in effect for a few months this company informed the county commissioners that they were unable to carry out the refunding and asked to be relieved of this duty.

"Mr. Al Roberts, an official of Ed Wright & Company, advised the Board of County Commissioners that in his opinion R. E. Crummer & Company, of Orlando, was the only firm equipped to handle this refunding proposition and the agreement with Wright was terminated.

"The county commissioners then requested R. E. Crummer & Company to handle the refunding and they agreed to do so provided that no bonds were held by the Florida National Bank of Jacksonville or any of its affiliate companies, which is the Ball-duPont interests.

"Mr. D. R. McNeill was requested by the Board of County Commissioners to communicate with the Flor-

ida National Bank to ascertain if they held any of our bonds. They replied that they did not hold any of our bonds or had any interest whatsoever in Okeechobee County. Thereafter, this information was made known to R. E. Crummer & Company and they agreed to handle the refunding of the debt."

Question by you, Mr. Moore:

"Mr. Conely, what was the date of this contract—the approximate date of this contract with Crummer?"

Answer: "I think it was in May or June of 1937."

Question: "Why was the Crummer company insistent that as a condition precedent that there should be no bonds held by Edward Ball or the Florida National Bank of Jacksonville?"

Answer: "Because it was stated that they had some difficulties in other refunding proceedings affecting some of the political units in the State and they did not care to handle any refunding proceedings where this company was interested because they felt there would be some difficulty."

Then you asked this question—and this is down about three-fourths of the page.

Question by Mr. Moore:

"Did Mr. Edward Ball and his interests oppose any sort of a refunding operation?"

Answer by Mr. Conely:

"So far as I know they did. After the meeting in Tallahassee, the Board of County Commissioners found that the Ball-duPont interests were opposing us

in every move we attempted to make. There were many lawsuits brought in several of the Courts in Florida and, finally, the United States Congress was approached to amend the National Bankruptcy Act so as to permit counties to take advantage of the provisions of that law. There was no other alternative for the counties and unless the Bankruptcy Act was amended there would be no relief. The county commissioners sent me to Washington for the purpose of giving information in connection with the proposal to amend the Act and, in my opinion, the situation existing in Okeechobee County was the main factor in having the Act amended so as to include counties.

"During the hearings on the proposed amendment, the counties in Florida appeared and supported the amendment, and Mr. Giles Patterson, representing the duPont-Ball interests, appeared and vigorously opposed the passage of the amendment."

Continuing your answer:

"After the adoption"—this is Mr. Conely's answer—"after the adoption of the amendment bankruptcy proceedings were filed by Crummer & Company in Okeechobee County, Florida. Mr. Giles Patterson again opposed the bankruptcy proceedings in the United States District Court at Miami which Court upheld the proceedings. Mr. Patterson appealed to the United States Circuit Court of Appeals of the Fifth Circuit in New Orleans, which Court affirmed the decision of the lower Court. Subsequently Mr. Patterson appealed to the United States Supreme Court, and this Court affirmed the decision of the lower Courts."

Question by you:

"Precisely what, in your opinion, was the reason that the so-called duPont-Ball interests opposed this method of refinancing the debt, that is, either by bankruptcy proceedings or by voluntary refunding?

"Answer: In my opinion the real reason was because they were opposed to refunding of any kind."

Then on page 25 Mr. Conley is still on the stand and you asked this question:

"Had you ever heard any complaints from any source whatsoever about the activities of the R. E. Crummer Company, or any of its successors, with respect to their operations in the matter of refunding the bonds of the taxing units of Florida?"

Answer: "The only complaints that I ever heard against this company were from competitives."

Question: "You mean competitive bonding companies? Name them."

Answer: "Yes. The duPont-Ball interests."

Question: "In other words, you have heard no complaints from any taxpayer, and local public official or any State official or any bondholder other than the so-called Ball-duPont interests?"

Answer: "Only from the comptroller of the State of Florida, J. M. Lee."

Now if you will turn to Page 34, there is the testimony of Roy R. Raulerson, Clerk of the Circuit Court of Okeechobee County, Florida; on Page 36, about an

inch and a half from the bottom of the page, Mr. Moore asked this question:

"You mentioned that Okeechobee County went into bankruptcy. Was that case appealed to the Supreme Court?

"Mr. Raulerson:
Yes.

"Mr. Moore:
What creditor or bondholder was responsible for appealing the case through the Courts if you have that knowledge?

"Mr. Raulerson:
DuPont Testamentary Trust.

"Mr. Moore:
Who represented that trust?

"Mr. Raulerson:
Giles Petterson.

"Mr. Moore:
Did this trust have any connection with Edward Ball, of Jacksonville?

"Mr. Raulerson:
Yes; I think Mr. Ball is connected with it. I have never met Mr. Ball personally, but understand he is the representative for duPont in Florida."

That series of questions and answers injected a new entity, the duPont Testamentary Trust. When you

were in Florida did you make any investigation to ascertain who the trustees of the duPont Testamentary Trust were?

A. No, I did not.

Q. Did you make any investigation to determine the relationship, if any, between the duPont Testamentary Trust and Mr. Edward Ball, or the so-called Ball-duPont interests in Florida?

A. No, I did not.

Q. Now, on Page 37—and this is the last of the reading of this testimony, Your Honor, or statement—you had before you a Mr. D. E. Arries, Investment Banker, of Tampa, Florida.

Do you see that caption at the top of Page 37?

A. Yes.

Q. And apparently you asked him no questions. He just made a statement to you. Is that your evaluation?

A. That's my recollection—is that he made a statement which was included in the record.

"Mr. Arries:

Q. I have been engaged in the investment business in Florida for twenty years. I was familiar with the financial condition confronting the various political units of Florida in 1929-31 on account of being overloaded with bonded indebtedness which bordered on chaos. At that time conditions were such that the taxpayers were unable to pay the enormous levies which would have been required as land values dropped to the lowest level in the history of the State, and the value of the outstanding bonds likewise dropped in value to an alarming amount, so that their value was really very questionable. The R. E. Crummer Company was very instrumental in assembling the necessary infor-

mation at its own expense, as well as making suggestions which were adopted into law in the 1929-31 sessions of the Florida Legislature, which resulted in restoring confidence and enabled the refinancing of the political units to be accomplished to the immeasurable benefit of the taxpayers as well as the bondholders. After the adoption of these laws, the R. E. Crummer Company engaged in refinancing a large number of these political units, and, of course, being in the bond business myself, I watched closely all of these operations through the years. Their operations follows the law enacted by the legislature and rested upon a sound basis and were beneficial in these political units to the taxpayers as well as the bondholders. Throughout all of these efforts in aiding the passage of the law, as well as the refinancing activities, it has been vigorously opposed by certain political and financial interests in the State.

"It is my opinion that no taxpayer or bondholder in any political unit has any just cause for complaint in the handling and refinancing of the same, which was done by the R. E. Crummer Company. The operations of this company has given general satisfaction to both taxpayers and bondholders. I am not advised of any complaint or dissatisfaction emanating from either of these sources, and in my opinion if there was any complaint or dissatisfaction expressed, it emanates from competitive sources which have been through the years opposed to every effort put forward by the R. E. Crummer Company in an effort to aid the taxpayers as well as the bondholders in working out a bad situation in this State."

Now, Mr. Moore, to whom did you believe that Mr. Arries, this investment banker or bond man, was referring when he said,

"and in my opinion if there was any complaint or dissatisfaction expressed, it emanates from competitive sources who have been through the years opposed to every effort put forward by the R. E. Crummer Company";

who did you think he was talking about?

A. Well, of course, I don't remember what I believed, but, from the reading of the testimony, as you have read it, it would be reasonable to assume that it had something to do with the duPont-Ball interests.

Q. Do you remember how many days you were in Florida on this trip, when you were investigating down here?

A. As I remember, I was here four days, and even then, I stayed longer than I should have, in view of the time element I was—that was facing me at the time.

You have alluded something to the fact of—that I didn't do this, I didn't do that; well, this, of course, was a time proposition, and thirty days was what the Senate had required be allowed, and as the result, I had to move on, and went on to Chicago, as a matter of fact.

Q. You made no other investigation in the State of Florida?

A. No, but the committee did.

Q. But you, yourself, on this particular trip—

A. On this particular occasion, this was my assignment. I was an employee of the Senate Judiary Committee. I did not formulate policy.

Q. Well, now, let me ask you this question: As this document shows, in February of 1946, February 14, 15, 17 and 18, I believe the dates were this same subcommittee whose proceedings are reported in these

Green Books—I've just bound my two together, but the color is still green—this committee had hearings in Jacksonville. Were you at those hearings?

A. No, I was not.

Q. A Mr. Sourwine, the counsel for the committee, handled the interrogation, did he not?

Mr. Dixie:

Your Honor, the witness was not there. He could hardly know.

The Witness:

Not to my personal knowledge.

Mr. Dixie

We object to that as beyond the knowledge of the witness. He was not there.

Mr. Crenshaw:

Very well, Mr. Dixie.

By Mr. Crenshaw:

Q. Let me ask you this question:

When this committee did come down to Florida, in February of 1946, they interrogated and questioned under oath the following people: Thomas B. Adams, attorney at law—the testimony shows he was from Jacksonville—I'm trying to identify these people in your mind, because I'm going to ask you a question about them: Archie Clements, member of the Florida State Legislature; he was from Pinellas County, St. Petersburg, Florida.

Walter P. Fuller, described as "real estate business" in the contents; he, also, was from St. Petersburg, and had served in 1942 as an investigator for a

bond refund investigating committee for the State of Florida.

Spessard L. Holland, who was then an attorney at law—now Senator Holland.

Greene Johnston, senior examiner for the Florida Securities Commission.

J. Edwin Larson, State Treasurer, State of Florida.

Now, that's about half the list. Let me ask this question: As I read those names, can you tell us whether or not, as a result of your trip down here, you carried back to the sub-committee recommendations that they come down and take the testimony of any of those people that I read?

A. Not to my recollection.

Q. Now, I'll read the rest of the list, and I might ask you the same question with respect to each man, as we go along, and I think it will be more fair to you and to all of us, Mr. Moore:

The next person was J. M. Lee, State Comptroller of the State of Florida. The same question, I put to you.

A. (The witness nodded in the negative.)

Q. Please answer.

The Court:

Answer out, so they can hear you.

The Witness:

I don't recall any of the names that you've mentioned.

By Mr. Crenshaw:

Q. The next name was E. J. Mansfield, retired Post Office Inspector.

A. I might have recommended—

Q. That rings a bell?

A. I might have recommended they question Mr. Mansfield, because he was a very recalcitrant witness; he was very incooperative.

Q. Giles J. Patterson, attorney at law in Jacksonville. He's the man whose name was mentioned as representing the duPont Testamentary Trust.

A. I don't—I don't recall—the only thing that I can say to you is that the testimony that you read from was submitted to the committee, and any person whose name was mentioned in there might likely be assumed to be a good witness, and I don't recall that even Mr. Mansfield, I recommended specifically, be questioned, but I think you can see from the testimony that he gave, which was practically nothing, of no value, that possibly it would be—in order to arrive at all the facts, to question him further.

I don't recall.

Q. The next man who's listed as being a witness was Clyde C. Pierce, investment securities business, Jacksonville.

A. I don't recall.

Q. The next witness they called, or listed here alphabetically, was Paul L. Pierce, of Leedy, Wheeler & Company, in Orlando.

A. I don't recall.

Q. J. Tom Watson, Attorney General of the State of Florida.

A. I don't recall.

Q. Now, when you were down in Orlando, did you have information that right there in Orlando was a firm known as Leedy, Wheeler & Company, or Leedy, Wheeler & Alleman, who were competitors of R. E. Crummer & Company and The Crummer Company?

A. If that firm existed in Orlando, I didn't—I don't recall that I knew it at the time, and I didn't know it now until you told me.

Q. So, you didn't know it, and you certainly didn't call them.

The same exhibit you have before you, Plaintiffs' Exhibit Number 2, in the deposition of Mansfield, shows that Mr. Edward Ball was also subpoenaed to appear before the committee, but was ill, or didn't respond to the subpoena in February of 1946.

Did you recommend to the committee that they interrogate Mr. Ball?

A. I don't recall. I—as I say, the record that you have read, speaks for itself. It speaks about competition between two interests, two bonding companies.

Now, what that had to do with the SEC and the Post Office investigation was the very thing we were trying to find out, and we couldn't.

Mr. Crenshaw:

Your Honor, since we have so many defendants, and I'm the elected spokesman, may I have just a minute to—

The Court:

Yes, sir.

Mr. Crenshaw:

—talk with them, Your Honor?

By Mr. Crenshaw:

Q. Mr. Moore, how long were you an investigator for the Senate Judiciary Committee? Approximately? The months or years.

A. I believe it was eighteen months. I left Senator Byrd to go with that committee, and I believe—I be-

lieve it was eighteen months prior to June of 1945, when I resigned.

A. I beg pardon?

Q. When did you move to Washington, D.C.?

A. Well, I was in Washington, D.C., at the time that I was investigator for the Senate Judiciary Committee.

Q. I so understand, but I believe you took your law out in one of the midwest states?

A. And in Kentuckey. I'm originally from Kentucky. My home—

Q. Well, my question is, when did you move to Washington, D.C.?

A. Well, my people moved to Washington, D.C., when I was a youngster.

The Court:

You were raised there?

The Witness:

Well, partially.

By Mr. Crensahw:

Q. Now, you've spent a great many years in the employ of the Federal Government.?

A. Yes, I have.

Q. Are you not familiar, and will you not acknowledge, that practically all of the executive departments, the Securities and Exchange Commission, the Post Office Department, the Department of Justice, for instance, all have what are known as executive orders which, in effect, direct the employees of those departments not to divulge information or documents which have come into their possession in the line of their work, even as Court proceedings unless authorized by the head of the department to do so?

A. No, I'm not familiar with that.

The Judge asked me about an order concerning all departments and agencies, and there is an executive order, but it doesn't relate to material that we were looking at—looking for.

Now, there is a policy, that has no foundation in law or in executive order, that relates to whatever a head of an agency wishes to—his employees not to divulge.

Q. Well, just your opinion on whether it is founded in law or not founded in law?

A. I assure you that, with respect to the information that we were seeking in this matter, that the Postmaster General had authority to divulge it and did so, as is my understanding of it.

Q. And did so after the indictment, did he not?

A. I don't know when he did.

The Court:

And you don't know whether that would make any difference?

The Witness:

No, sir.

The Court:

All right.

By Mr. Crenshaw:

Q. When you were in Florida did you have the power from your sub-committee to issue subpoenaes?

A. If it became necessary.

Q. Were you subpoenaed to come down from Washington and testify at this trial?

A. Yes, I was.

Q. Would you mind telling us, or confirm to us, that you are here at the request of the plaintiffs and that they are standing your traveling expenses?

The Court:

Now that goes without—all you have got to do is to show that he was served with a subpoena and he is here in response to that.

The Witness:

Yes, sir.

The Court:

They have to pay his way, so don't let that worry anybody.

Mr. Crenshaw:

That is all I have, Your Honor.

The Court:

I want to ask you a question, that I would like to be more certain that the jury and I understand in your testimony.

After some questioning, as I understood you earlier in your testimony, you stated that you received your directions for the investigation from the Chairman of the sub-committee; that is where you got them?

The Witness:

Yes, sir.

The Court:

And you were directed to come to Florida and come to the office of the plaintiff, or one of the plaintiffs here, and that while you were in Florida your in-

vestigation was carried on in the office of R. E. Crummer & Company?

The Witness:
Yes, sir.

The Court:
Now, just a few minutes ago in response to a question from Mister—I forget all these attorneys' names sometimes and that shows that I'm getting old—Mr. Crenshaw—you stated that the thing you were out to find out was who had filed the complaint with the post office department and the Securities-Exchange Commission.

Now would you just clarify that?

The Witness:
Yes, sir, I will clarify that. That was one, as I thought I explained—one of many phases. That, as you could see from my questioning, was just one of a multitude of issues that related to this Senate Resolution and, in my opinion, the most important one, Your Honor, was the question as to the impairment of the credit of the taxing units of Florida; and the other, of course, was what effect the nature of these investigations by the Post Office Department and the SEC had on this whole picture, and it is true one of the things was to determine how it originated, but that was only one of many.

The Court:
Well, now, insofar as your investigation was concerned, would you say that it related to any subject other—primarily any subject, other than your efforts to find out who was responsible for the filing of the

complaint with the Post Office Department and the Securities-Exchange Commission; and you seemed to think at that time it was done by someone else.

The Witness:

Well, Your Honor, I thought I explained that finding the source of this matter was just one of many—

The Court:

Of course, you mean the source of the matter was the source of the persecution of the Crummer Company; is that what you mean by the "source"—by the Post Office Department?

If you don't like the word "persecution" we will change it.

The Witness:

Well, that is not my words. Well, the "source" meaning the way in which the Post Office Department and SEC began singling out a particular company which had some relation to the credit of the counties of Florida.

The Court:

Well, now, the resolution that has been read here. It speaks for itself.

The Witness:

Yes, sir.

The Court:

And the objective of the resolution as stated in the resolution itself.

The Witness:
Yes, sir.

The Court:
And as I recall there is no reference made in there to directing the Judiciary Committee of the Senate to investigate to ascertain who was behind the Post Office investigation?

The Witness:
No, sir, it is not in the resolution.

The Court:
It does not appear in there at all?

The Witness:
It is not in the words of the resolution. It was the judgment of the committee that all matters pertinent to the resolution—

The Court:
I think that is going to be the next question and I don't know whether I ought to ask whether that is necessary. You don't need to answer that if you don't know.

Did the sub-committee itself, as such, pursue any investigation along the lines of the resolution, other than this one feature of it?

The Witness:
Oh, yes, Your Honor. I left the committee but I think that the committee's hearings indicate the manner in which they conducted their investigation and also there was a report by the committee to the full Senate of

the United States on this matter. I don't know whether that is in the record or not.

The Court:
Well that—the whole report is in the record.

The Witness:
There were—in other words, if I could leave you with this picture—I was sent down here to do some ground work—to do some spade work, and the committee came to the conclusion that after thirty days we couldn't find anything, it had recalcitrant witnesses and found that people would not cooperate in the executive branch, and it was not satisfied.

The Court:
Now that relates only to the one thing, doesn't it, to who was behind—

The Witness:
No, sir.

The Court:
All right. Now let me ask you a few questions. I just want to clear it up.
You state that the question—what is that county down there near the Everglades?

Voice:
Okeechobee.

The Court:
Okeechobee County.

The Witness:
Yes, sir.

The Court:
Did you have anything to do with an investigation to ascertain whether Okeechobee County had property of enough value to pay any interest at all on any bonds that might be issued by that county?

The Witness:
Well, I think that that is all part of this record.

The Court:
Well, I ask you if you made any investigation?

The Witness:
Well, I don't recall, definitely, about Okeechobee County, no, sir. I don't remember, but that would have been the usual—

The Court:
Or any county, or Panama City, or did you make any investigation to ascertain whether Panama City could pay—financially could afford to pay more than one or two per cent interest?

The Witness:
If I did, it is in this record.

The Court:
Did you make any investigation to ascertain whether or not the amount of the outstanding bonds in Okeechobee County were in excess of the value of all of the property in Okeechobee County?

The Witness:

I recall that matters of that kind came up in connection also with the question as to where the future taxes were—

The Court:

That is the point I wanted to clear up with you. You got in this report of yours, insofar as your investigation is concerned, a great many matters that relate to other things.

The Witness:

Oh, yes, sir.

The Court:

To other things than the investigation of who was behind—as I say, the persecution of the Crummer Companies.

The Witness:

That is exactly correct.

The Court:

And it is in there?

The Witness:

Yes, sir.

The Court:

And you made investigations of other types while you were here?

The Witness:

Yes, sir.

The Court:

Well, now, briefly tell me and the jury—because I want the jury to understand what was done and I want to understand what was done—tell me the investigation of other types that you made, just briefly.

The Witness:

You mean connected with this resolution?

The Court:

Yes, sir; in connection with this resolution.

The Witness:

Well, following the testimony that was read here this morning, I went to Chicago and interrogated employees of the Securities and Exchange Commission in Chicago and asked them their knowledge of this matter and they refused to make any statements to the Senate Committee; and I went on to Philadelphia, which is the headquarters of the Securities and Exchange Commission, and there interrogated the Chief of the Regional Office in Chicago.

The Court:

I am not going to ask you to go into that, because when the time comes the Court will have to instruct the jury that the Post Office Department and the Securities and Exchange Commission were wholly within their rights in refusing to make any disclosure to the Senate Committee or anybody else before these indictments were dismissed.

I have had that question too many times before me, too continuously before me for there to be any particular controversy about it.

But that wasn't my question to you. My question to you was to tell this jury briefly—only briefly, some of the cities and counties that you investigated to ascertain—that were involved in this credit problem—that you investigated to ascertain whether or not the assessed value of the county or city property equalled the amount of the outstanding bonds against them.

The Witness:

I think all this is in the record.

As I explained to you, I am sure—I would be glad to go back and analyze this.

The Court:

You just don't remember? I thought that you would remember it.

All right, I won't take this up—I won't take up the time to do it. I was just anxious. I didn't want to leave with this jury the impression that all you did when you were down here—if that is not the truth—and your testimony sort of left it that way with the Court, as I explained to the jury, that all you did when you were down here was to investigate into why the Post Office Department and the Securities-Exchange were behind what happened to Crummer.

The Witness:

No, sir.

The Court:

All right. I will leave it there.

Any questions, Mr. Dixie?

Mr. Dixie:

I have an extremely brief re-direct, Your Honor, which I hope I can complete before we adjourn for lunch.

The Court:

All right. Let's do it and let this man go home.

Re-Direct Examination.

By Mr. Dixie:

Q. Mr. Moore, did you state and give some history of Senate Resolution Number 35? Please tell us who were the Senators who introduced that resolution in the United States Senate?

A. As I recall it, the two Senators from Florida.

The Court:

That is already in the record, Mr. Dixie, several times.

By Mr. Dixie:

Q. Now, what date or what month did you leave the Judiciary Committee as its investigator?

A. To the best of my recollection, it was in June sometime. It could have been even prior to that time.

Q. All right. Then you made this investigation in March, 1945, and you made your report to the committee?

A. That's correct.

Q. And I understood to the best of your memory in June of 1945 you resigned your position there?

A. Yes, sir, or even prior to June, to the best of my memory.

Q. All right, tell me very briefly what you have been doing since then.

A. I practiced law in Kentucky and Ohio and came to the Senate as administrative assistant to Senator John Cooper of Kentucky, and then was offered a position and accepted a position as Chief Counsel of the House, Post Office and Civil Service Committee which I resigned in 1952 to practice law and the President appointed me to my present position in March of 1953.

Q. That is President Eisenhower?

A. Yes, sir.

Q. Now then, I ask you just briefly to establish that from June, 1945 up until recently, isn't it true that you have been away from this whole matter of the Crummer situation?

A. Yes, I have.

Q. All right. Now then, touching briefly into the Court's line of inquiry, I will ask you if it is not true that you took a report to the United States Senate, testimony from such persons as former Governor of Florida, pertaining to the default situation in Florida back in 1929?

A. Correct.

Q. And did you take testimony pertaining to the refunding of the debt situation in such places as Citrus County, Pasco County, the City of Inverness and the County of Okeechobee?

A. Yes, I did.

Q. You took testimony—I will ask you whether or not you took testimony and reported up there to give the Senate Committee some idea about how the Municipal Bankruptcy Act was operating?

A. Yes.

Q. In other words, you tried to go into the whole relationship between the public debt problem and the SEC-Post Office investigation?

A. Exactly, that is correct.

Q. Now I am going to ask you just one or two more questions, briefly, to see if your memory has risen a little bit about this matter.

I want to read to you briefly, the testimony of Mr. E. J. Mansfield, from his deposition, about his leaving with you, Mr. Moore, and I want to ask you after you hear that reading whether you are in position to tell me whether what he said is true and correct as far as your memory goes.

Now then—646, if you please, gentlemen, of the Mansfield deposition.

Mr. Crenshaw:

Just a minute, Mr. Dixie. There are about thirty volumes in that.

Mr. Dixie:

Volume Number 2, Page 646.

Mr. Crenshaw:

I don't seem to have it. You can go ahead.

Mr. Dixie:

It will be brief.

The Court:

That won't make any difference—

Mr. Crenshaw:

All right, sir.

The Court:

—if it's in response to something the Court does here.

Go ahead, sir.

By Mr. Dixie:

Q. On Page 636, Mr. Moore, the record shows that interrogating counsel put the following questions to Mr. Moore—to Mr. Mansfield, and read to Mr. Mansfield the same transcript of testimony that you took from him, and he read to Mr. Mansfield:

"Mr. Moore asked you: 'I merely asked the original cause or source of the material for the investigation of R. E. Crummer & Company,' " and Mr. Mansfield answered to you:

" 'It was a written complaint. The writer's name I do not recall, and my file containing that is in Florida.'

"Question by Mr. Moore: 'Could you furnish the Committee with that information, sir, when you return to Florida?'

"Mr. Mansfield:

Answer: 'Yes.' "

Then the interrogator said to Mr. Mansfield:

"Do you remember those questions and answers?"

Mr. Mansfield replied to him:

"Yes. I also very definitely remember that after the interview was terminated I contacted Mr. Moore and told him that I had overlooked in the hurried answer which I gave the fact that the names and information concerning the complaints, the names of complainants and information concerning complaints was held in confidence by the Post Office Department and inspectors were not authorized to make disclosure of it, and for that reason I wouldn't be able to furnish him that information."

Now, did you follow me in the reading of that, please, Mr. Moore?

A. (The witness nodded in the affirmative.)

Q. Now, Mr. Mansfield has said here that although he told you he would get you that name, he later told you it was against the policy of the Post Office to give you that name, and he wouldn't give it to you.

Now, do you have any memory of that?

A. I do not.

Q. That does not come back to you?

A. No, sir, it does not.

Q. All right. In any event, just one more question:

In 1945, when you were working on this matter, did you ever hear, or had you ever heard of one Roger L. Main, or one Howard S. Wheeler?

A. No, I did not.

Mr. Dixie:

That will be all, Your Honor.

COUNTY OUTLINE MAP OF Florida

SCALE OF MILES
0 10 20 30 40 50

COUNTY	LOCATION	1935 POPULATION
Alachua	D-7	36,481
Baker	B-7	7,173
Bay	N-5	16,828
Bradford	C-7	8,841
Brevard	H-11	14,554
Broward	M-12	23,042
Calhoun	N-6	8,352
Charlotte	L-8	3,801
Citrus	F-7	5,599
Clay	C-8	7,103
Collier	M-10	4,790
Columbia	B-6	15,382
Dade	O-12	180,998
De Soto	K-8	8,170
Dixie	D-5	5,853
Duval	B-8	175,204
Escambia	M-1	56,674
Flagler	E-9	3,179
Franklin	P-8	6,585
Gadsden	N-8	26,974
Gilchrist	D-6	4,174
Glades	K-10	2,673
Gulf	O-7	3,099
Hamilton	B-5	9,791
Hardee	J-8	11,414
Hendry	L-10	3,711
Hernando	G-7	5,522
Highlands	J-9	10,912
Hillsborough	I-7	159,208
Holmes	M-5	14,449
Indian River	I-11	8,480
Jackson	M-6	35,384
Jefferson	B-3	13,617
Lafayette	C-4	4,259
Lake	F-9	28,062
Lee	L-9	16,351
Leon	B-2	26,622
Levy	E-6	12,973
Liberty	O-7	3,883
Madison	B-4	17,145
Manatee	J-7	23,061
Marion	E-8	30,751
Martin	K-12	5,214
Monroe	O-11	13,354
Nassau	A-8	9,185
Okaloosa	M-3	11,669
Okeechobee	J-11	3,484
Orange	G-9	58,184
Osceola	H-10	9,759
Palm Beach	L-12	53,194
Pasco	H-7	11,268
Pinellas	I-6	64,638
Polk	I-9	82,184
Putnam	D-8	18,370
St. Johns	C-9	17,639
St. Lucie	J-12	9,044
Santa Rosa	M-2	15,530
Sarasota	K-7	13,787
Seminole	F-10	22,192
Sumter	G-8	10,056
Suwannee	C-5	16,973
Taylor	C-3	11,142
Union	C-7	5,428
Volusia	F-10	50,550
Wakulla	C-2	6,083
Walton	M-4	13,894
Washington	N-5	12,899
TOTAL		1,606,842

OCEAN SHORE IMPROVEMENT DISTRICT in Volusia and Flagler Counties

CITY OF ORMOND

CITY OF NEW SMYRNA

CITY OF LEESBURG

CITY OF DADE CITY

CITY OF ZEPHYRHILLS

CITY OF SAN ANTONIO

CITY OF WINTER HAVEN

CITY OF BARTOW

CITY OF AVON PARK

CITY OF ARCADIA

CITY OF COCOA

CITY OF MELBOURNE

ATLANTIC-GULF SR & B DISTRICT in Indian River and Osceola Counties

CITY OF VERO BEACH

CITY OF FORT PIERCE

FORT PIERCE PORT DISTRICT

ST. LUCIE INLET DISTRICT in Martin & St. Lucie Co's.

PORT OF PALM BEACH DISTRICT

CITY OF KEY WEST

KEY

Colored areas represent taxing units whose present status is reflected by the following identification:

WHITE County and School taxing units whose debt structures have not as a matter of necessity required any emergency refinancing operations of consequence.

BLUE County, School, and City taxing units which have completed refunding operations or are under contract and now in process of completing refunding operations sponsored by R. E. Crummer & Company and associates.

ORANGE County and School taxing units which are operating under refunding programs sponsored by other agencies.

RED County and School taxing units now in serious default and requiring readjustment through refunding.

The above classifications are only intended to be of a general nature. For more specific detail, reference should be made to the chart appearing on pages 20 and 21 hereof.

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Submariners Arrive So It's Sea Story

By RUBE ALLYN

The USS Cubera sailed into St. Petersburg port recently and tied up in Bayboro harbor. One of Uncle Sam's submarines, manned by a crew three-fourths of whom have seen action in the Pacific, it is an exact replica of hundreds of other boats.

Of all the men and ships which make up our navy, most interesting is the submarine service. The exploits of men who "go below" have become legendary. As I have seen the gallant "pig boat" men go out on war patrols from bases in the Pacific, to perform seemingly impossible feats of seamanship, it was a real pleasure to again join the submariners aboard the USS Culbera and spend a few hours swapping sea stories below decks.

COMDR. GRIDER

SKIPPER OF the Cubera is a feature story himself. Few submarine captains have seen the action which has been the lot of Comdr. George W. Grider. As a result of his successful war patrols he has accumulated such decorations as the navy cross, silver star, bronze star, two presidential unit citations, a navy unit citation and three letters of commendation. These things are not easy to come by.

Capt. Grider has the desire to fish to catch a big fish like a tarpon. But the commander admits, "I'm just the unluckiest fisherman in the world." Gray-blue eyes twinkling like two stars out of a tanned friendly face he recalled some humorous experiences which started off a round robin of adventures in the world of submarines.

"The biggest laugh I ever had in fishing began the captain "was the time Capt Hoyt Payne and myself were spear fishing about the coral reefs on a Pacific island. I had put in my gear and went below looking for some small fish to spear, and I came face to face with, big shark.

"IN THAT MOMENT of amaze ment I remembered that some where I had read that sharks do not attack if you do not make too much fuss. So keeping as much as possible under the coral I swam slowly but persistently toward the surface and to safety. The shark was good, too. Both times they straddled us and we thought it was curtains. Somehow we got back to the surface and to Mare Island where we stayed for two months repairing the damage.

Probably the most exciting experience was that of R. W. Velle, MoMM 1 c who was lost off a submarine in the Philippines area made shore in enemy waters and joined the guerrillas but let him tell the story.

"It was aboard the Gunnel and we were on our sixth patrol. We sailed out of Perth, Australia and were to scout the Mindora straits. We made battle surface one day in a harbor, where the Japs had some sea trucks, like our landing boats. The amazed Japs were helpless as we machinegunned the boats right and left with great destruction.

"THEN WE picked up a plane contact on our radar and the order came to crash dive. I was too far away and didn't make the hatch so overboard I went.

From three o'clock in the afternoon 'til dark I swam about with the fishes close by. They never spotted me. That night I got ashore and joined some native fishermen. They hid me. Later I

CHIEFS VAN MARTER AND BEECHER

up the hatch. They were shaking like a leaf in the wind. As they hit the deck each one would can say that we were all amazed to discover the whale."

M. E. Durow came next. He broke into what he thought was the song of America and make up volume what he lacked in rhythm, much to the amusement of all hands and the utter breakdown of dignity on topside.

"Another tough time for the Japs would be when we chase out the razors to shave them. That they were sure was their last minute on earth, for they could not believe that razor used for anything besides rating them from their head.

D. R. LEWIS, MoMM 1 c was aboard the Lapon, the first boat to enter the Sea of Japan. With

R. W. DELLE

the Lapon was the Permit and the Plunger. It was July 4, 1945 when we closed in.

We surfaced in a Jap harbor said Lewis with Jap flags pointed out for coming over. The Japs were so ignorant they did not know the difference between their own ships and the enemy. We had a field day as [illegible]

M. E. DUROW came next. He sailed on the submarine Bream in the intelligence men at Halamana and Morati islands in the Celebes. Everything went according to plan and we were just churning ashore in the rubber boats when someone kicked a log. We nearly went with and rang the [illegible] down those

"BEFORE WE came back we picked up a captured Jap prisoner from the island and took them on to Manila. Then we got our two weeks of rest and relaxation.

Even with all the sea stories and experiences in the crew of the Cubera all hands still insist the greatest feat with a submarine they ever saw was the negotiating of the channel into Dry Tortugas by Capt. Grider.

The only time a 318 foot submarine has ever gone through that 35 foot wide channel which is full of curves. He wanted to see what the fish looked like in there and then too it was good practice. The crew swears he made that channel with only three bells on the engine room.

Agriculture

ORANGE PRICES

in the 1945-46 season on the 10 auction market were the highest in 16 years and tangerine prices were the highest in 18 years as Florida entered its fourth consecutive record-breaking season H. E. Wrilson of the federal-state market news service reported yesterday in his annual review.

The total production of oranges groped out and tangerines reached at 85,900,000 boxes and a refiners output of around 40,000,000 boxes both far exceeded [illegible]

Health

CITIZEN'S CAMPAIGN

to combat poliomyelitis went into operation yesterday in Miami where Dade county's 63rd case was reported yesterday.

The campaign, headed by more than a dozen leaders of civic organizations, will urge all residents to help eliminate all breeding places of flies, mosquitos and rats. Second, it will urge personal hygiene in homes, and third, if necessary, it will ask all persons living in the county to donate trucks and labor to a gigantic cleanup campaign.

Crime

LAW OFFICERS

aided by bloodhounds continued a search late yesterday for Dave Walden, 34, last of 12 convicts who escaped from Raiford last Sunday to remain at large.

Walden, who was serving a five year sentence from Hillsborough county for possession of narcotics, became the sole fugitive when Jack White, 27, serving from Duval county for breaking and entering, was captured earlier in the day near Maxville.

The other 10 escapees had been captured previously in the same vicinity.

Health

STATE BOARD OF HEALTH

authorities in Jacksonville said yesterday five new polio cases were reported in Florida yesterday, bringing the reported total for the year to 136.

Dr. Edwin G. Rice, epidemiologist, said the situation had not reached epidemic proportions but that conditions were getting to be [illegible] Beach, south, he said, was the worst in the state on a per capita basis.

Reports came from counties, not cities, and sometimes are delayed. Dr. Rice said yesterday's reports were one each from Dade, Solo, Monroe and Sumter and two from Hillsborough.

Cases reported for the year were: Alachua 4, Baker 1, Brevard 1, Broward 4, Calhoun 1, Charlotte 1, Citrus 1, Dade 18, Duval 2, Hillsborough 2, Lake 2, Manatee 1, Marion 1, Okaloosa 1, Orange 1, Osceola 1, Palm Beach 2, Pasco 1, Polk 9, Sarasota 1, and Sumter 2.

Life Under Water Slightly Easier

Wag crew have pens that [illegible] and are set by [illegible] after four hours submersion. They will be manufactured in batches of 8 boxes of 40 matches each by the Diamond Match Co. Other coming products include [illegible]

An electric plug-in light to attract insects which by their [illegible] and death come in contact with a DDT impregnated screen, offered by Koehler Bixler Associates, New York City.

An electric space heater with a flash boat unit enclosed in [illegible] distributed by Harry M. Bell & Associates, Philadelphia.

Several models of play pens with [illegible] to protect infants. One model by L. S. Brown & Co., 228 Margaret St., S. E. Atlanta, and another by Hollywood Kraft, 2220 Morley St., San Diego, Cal.

WAA Offers Planes For Salvage

The war assets administration will receive bids up to July 1 for 20,000 surplus airplanes for scrap and parts, it was announced yesterday. Both [illegible] bids will be received [illegible] Will

THE FLORIDIAN

Exhibit "A"

3456

THE FLORIDIAN

Founded in 1828

VOL. 119, No. 18 MONDAY, JUNE 17, 1946

State To Keep Its Third Of Ringling Circus, Turns Down Two $500,000 Offers

State of Florida last week rejected offers by rival factions of the Ringling circus family to purchase its one third interest in the Ringling Brothers Barnum and Bailey circus.

The offers, each with hampering provisos, were made by Robert Ringling and John Ringling North. Each proposed payment to the state of $500,000 for the circus stock and real estate in Sarasota and in the west.

The cabinet split on the decision after a report on negotiations was made by former Gov. Doyle Carlton, special attorney for Ringling estate matters. The vote against taking either proposition was 3 to 1, with Atty. Gen. J. Tom Watson favoring the Robert Ringling offer.

Robert Ringling proposed payment of $500,000 to the state for its "Clamton interest," on condition that the state drop out of his suit to oust John and Ida Ringling North from positions as estate executors. Ringling is also suing to gain a court ruling that the late John Ringling meant to leave the state only half, and not all of the estate [illegible]

John Ringling North and his attorney, Leonard Bisce, proposed formation of a syndicate to buy all assets of the estate and pay off all existing claims. The syndicate would pay $500,000 for the state's interest.

Gov. Millard Caldwell pointed out that the North offer was conditioned upon successful settlement of all litigation, including the John Ringling suit.

"This would mean interminable litigation and we wouldn't be [illegible] better off than we are now," Caldwell said.

The governor, Superintendent of Schools Colin English and [illegible] State R. A. Gray voted to reject both offers. English and Gray have been supporters of the North plan. Watson, an adherent of the Ringling plan, voted against them and Comptroller J. M. Lee declined to vote.

--GOVERNMENT--

Gov. Caldwell Pleased With Florida's Standing

Gov. Millard Caldwell last night declared himself as pleased with the [illegible] standing of Florida in the society of states and [illegible] further improvement.

In his monthly radio address to the state Caldwell said that state agencies are doing a "conscientious" job for the people although he is dissatisfied with conditions in certain departments.

The state tax system while faulty, he defended as being in many respects superior. Caldwell cited as advantages its being without a general sales tax, income tax or ad valorem tax, and having a low tax rate on intangibles. A survey of the system is now being made by a gubernatorial committee.

The governor charged that misleading statistics have been [illegible] regarding state school system, and said in rebuttal that [illegible] made since 1940. Other things [illegible] have an indication of a state's standing, he declared.

He cited surveys showing that Florida outranks other southern states in wealth, retail sales, circulation of national magazines and number of telephones, but that it was behind in provisions for dependent children and public health. He promised that that 1947 legislature will be called on to improve these services.

The average wage paid teachers in Florida has been raised from $1,000 to $1,620 in the past five years, and the expenditure per pupil from $60 to $100—the national average three years ago.

--TRANSPORTATION--

Tamiami Trails To Handle Miami-Jacksonville Freight

State railroad commission yesterday authorized Tamiami Trail Tours, Inc. to take over the freight operating certificate of the St. Johns River Lines Co., and offer through service between Miami and Jacksonville.

Tamiami Trail Tours at present moves freight between Miami and St. Cloud over an inland route and the St. Johns line operates between Jacksonville and St. Cloud by way of Ocala.

Protection was protested by Central [illegible] Inc. and the Great Southern Trucking Co., which charged that the merger [illegible] Jacksonville through service [illegible]

--VETERANS--

VFW Elects Officers

[illegible]

The new officers were installed following [illegible] by Emerson Lee, Jr. Ex-Wardt, past department commander. The VFW also [illegible] to hold the [illegible] Department [illegible]

ST. PETERSBURG SCENE

SMALL BUSINESS TODAY

Basic Commodity Prices Higher In 1920 Than In 1946

By ELMER ROESSNER

Although "inflation isn't coming—it's here" has become a favorite cliche of public speakers, examination of a table of comparative wholesale prices in The Guaranty Survey, published by the Guaranty Trust Co., of New York, shows that many basic commodities were higher in the boom after the last war than now.

Here are comparative prices in April, 1920, and April, 1946, of the same grade and delivery points of typical commodities.

	1920	1946
Steers, 100 lbs.	13 90	16 55
Coffee, lb.	.25½	.13¾
Copper, lb.	.1875	.11875
Corn, bu.	1 68	1 21½
Cotton, lb.	.4025	.2565
Hides, lb.	.40	.15½
Hogs, 100 lbs.	15 10	14 80
Pig iron, ton	42 00	26 00
Lead, lb.	9 00	6 50
Petroleum, bbl.	6 10	3 10
Rosin, 100 lbs.	7 36	6 76
Rubber, lb.	.46	.22½
Sugar, lb.	.1856	.4205
Tin, lb.	.625	.52
Wheat, bu.	3 01	1 74
Wool, lb.	2 35	1 04
Zinc, lb.	.845	.8251/2

Most of the 1946 prices are of [illegible] course controlled.

Each economist will read his own lesson out of these figures. They will point out that the dollar has been devalued which makes the 1920 prices even higher in terms of gold. The high prices of 1920 were followed by a slump. But there are too many factors involved to conclude on this evidence alone that the current prices will drop of [illegible] that they are higher [illegible] during [illegible] the twenties as a revolt against [illegible] strike.

The independent can minimize the effect of a sales slump on his own business by not overstocking. With the exception of the war years when many businesses were closed by lack of merchandise, too much inventory has been one of the great contributing causes to business failures. Some economists [illegible] it is an even greater hazard than lack of experience [illegible]

Dealers Advised To Avoid Shoddy Goods Overstock

[illegible]

Woven Silk Fabrics Coming At Luxury Prices

Industry

CHAIRMAN CARL B. SMITH, of the Florida industrial commission said yesterday in Tallahassee that the state's "heavy employment in ship building during the war makes recovery fairly difficult" but added that Florida "has adjusted itself fairly well to the shipyard closings."

He reported that employment in Florida manufacturing was now [illegible] 20 per cent higher than before the war though it has declined 6 per cent from the wartime peak.

"Both the peak and the ship decline in Florida manufacturing employment [illegible] primarily to the shipbuilding industry and to a much lesser extent to aircraft construction," Smith said.

"Before the war, only 1,000 Floridians were employed in making equipment for transportation, mainly ships. By 1943 this had become Florida's leading industry with 48,000 workers, which increased to a peak of 54,000 in the last quarter of that year. The number employed in the industry declined to 31,800 by V-J Day, to 16,000 by September 15, 1945, and to 8,700 by February, 1946."

Total employment in Florida manufacturing declined from a peak of 104,000 in February, 1943 to 78,000 in October, 1945, but recovered to 88,100 in February, 1946. The employment level is higher by almost 20 per cent than that of 67,800 in the third quarter of 1939, he added.

"Only 6,600 persons were drawing state unemployment compensation during the week ended May 25, a small percentage of the 64,000 decline in employment since the wartime peak."

Smith said the food processing industry accounted for part of the rise in wartime employment. He added, however, that unlike shipbuilding, food processing has maintained a steady employment level since the war.

In 1939, an average of 12,0[illegible] were employed. This rose to a peak of 25,300 in March, 1944, and held up to 22,100 in February, 1946. Food processing is now the state's greatest employer of labor having taken over the top position from lumber which, before the war, led all others, he reported.

During the war, the Florida lumber industry gained 1,000 employes over the pre-war level of 18,200, by February, 1943, but from that time on declined until only 10,900 were employed in February, 1946.

"Of the smaller industries, apparel manufacturers benefited significantly from wartime stimulation," Smith said.

"The industry had but 900 workers at the end of 1939 but expanded steadily during the war years to a peak of 4,200 in June, 1945. With the termination of war contracts employment sagged, but only to 2,300 in February, 1946, a substantial gain over the pre-war level."

Employment gains in the paper and furniture industries appear to have been permanent, Smith said. The paper industry had 4,400 employed in February, 1946, against 2,300 in 1939. The furniture industries employed 6,400 in 1939, 7,100 in January, 1943, and 7,200 in February, 1946.

Highways

FIRST TWO

of a series of roadside park picnic rest areas along Florida highways will be started next week in Gulf and Bay counties.

Chairman Elgin Bayless of the state road department said they will be constructed on properties donated by landowners on state road 10. Both will be on the Gulf Beach front but Bayless said the exact sites had not been finally determined.

The plots will be about five acres each, immediately adjacent to the highway. The road department will construct picnic tables, barbecue pits and restrooms. There will be a parking area and a paved turnoff.

Bayless said similar parks are planned throughout the state.

Miami Plans Great Tribute To Solidarity Of Americas

Miami city officials took a squint into the future yesterday and envisioned a huge Pan-American center with a separate building for each of the 21 Latin republics gracing an island in Biscayne bay.

Proposed as a symbol of hemispheric solidarity the Pan-American center is being looked upon as a means of handling and entertaining visitors from the south who funnel through Miami's aerial gateway by the thousands each month.

And a number of city leaders will confess it is planned to overshadow the International House and other Latin American attractions in New Orleans, the city that seems more and more as a threat to Miami's domination as a link between the Americas.

The project is admittedly a long way from becoming a reality but it has already been blueprinted in detail by the city planning board, whose members believe in its implicitly.

With the advent of new air routes stringing southward from Miami and the steady increase in passenger arrivals at the air terminal, the men who devised plans for the center fondly hope actual work on the project is not too far off.

Colombia recently announced its intention of erecting a consular building on Causeway island, roughly half-way between Miami and Miami Beach, which will serve as the site of the Pan-American exposition and center.

Plots of ground have been marked off on blueprints for a similar building for each South and Central American republic. All 21 of them will eventually have consulates on the proposed Pan-American isle, it is hoped.

In the center of the 102-acre island will stand a large exposition building featuring folklore and exhibits from the countries represented.

Off to one side a "Tower of Peace;" symbolizing a friendly world, will add to the center's majestic appearance. Musical carillons, similar to those featured at Florida's famous Bok Singing Tower at Lake Wales, are planned for the "peace" tower.

The base of the tower will be formed by 21 large rocks, one from each Latin Republic.

Frank Stearns, executive secretary of the Miami planning board, said the federal government has appropriated $25,000 to be used in planning the Pan-American project. The city, he said, also made a $25,000 appropriation.

Each Latin-American nation will build its own consulate on the plot of ground assigned to it. The city of Miami has agreed to finance construction of the exposition center and the musical tower.

STATISTICS SHOW POLIO RANKS LOW AMONG DEATH-DEALING DISEASES

Although poliomyelitis ranks far down on the list of death dealing diseases in Florida the comparatively few cases every year in this state are enough to arouse the public's deep-rooted fear of the disease.

Records show that only 107 deaths have occurred from polio in Florida during the last decade. Heart disease has killed 50,212, cancer nearly 19,000 tuberculosis 8,841, diarrhea and enteritis (under age of two) 1,752, and the slowly whooping cough 483. Measles have taken the lives of another 169 and diphtheria 353. Only scarlet fever, with a reported 25 deaths, is below polio. Pinellas has had only three reported cases of polio this year.

YET DOCTORS and health officials are receiving many calls every day from anxious mothers wanting to know "if it is safe to let Johnny go swimming" or "is it all right if Mary goes to the movies". As with any unknown quantity, the "mysterious aura which surrounds polio is the cause of much of the public's fear.

A visit with Dr R D Hollowell, county health officer, in his office at Tomlinson Vocational school helped to dispel some of this mystery and to allay some of the unreasoning fear.

The word poliomyelitis comes from two Greek words meaning gray and marrow so called because it attacks the gray matter of the nervous system. Polio is an ancient disease. That the early Egyptians knew about it is proven by a stone tablet, carved sometime between 1580 and 1360 BC on which is depicted the figure of an Egyptian priest, Ruma, his right leg withered, a typical polio effect. Archeologists have unearthed many Egyptian mummies with twisted limbs. Hippocrates in one of his books speaks of a paralysis of the leg which attacked many in late summer and autumn. The Bible mentions the disease several times.

TO A MAN named Underwood goes credit for first recognizing polio as polio. He made an observation to this effect in 1784. Jacob Heinie made the first important contribution to polio research when, in 1887, he said that polio attacked the central nervous system and might appear in epidemic form. An American scientist Caverly first recognized the disease in this country when he told of an 1894 epidemic in Vermont.

The polio virus is so tiny that it can only be seen under the most powerful microscopes. It is 700 times smaller than the red blood cell, and that can only be seen under a microscope. Although some scientists contended that the virus was a chemical it has been rather definitely established that it is an organism because to cause the disease the virus must reproduce itself, and a chemical could not do that. The polio virus is one of the filterable virus, those that can be strained through a clay filter.

The virus hits the motor nerves (nerves that control the muscles) where they leave the spinal cord. These infected nerves are then incapable of performing their function, resulting many times in the withering of the limbs, trademark of polio.

Worst of all, perhaps, is the effect polio oftentimes has on the lungs, rendering them incapable of movement.

NO CURE or immunization has been developed to combat polio. Doctors can only make the patient as comfortable as possible, sometimes just keep him alive until the disease runs its course. Then, if muscles have been affected, begins the long massage treatment to restore them to use. This is the integral part of the famous Sister Kenny treatment. Detecting polio in its earliest stages is most important. Expert medical care given early may prevent many of the crippling deformities.

The iron lung is medicine's chief weapon while the disease is in progress. Its big bellows, expanding and contracting, keep life-giving air flowing in and out of the patient's stricken lungs.

Definitely established as carriers of the disease are flies and sewerage. Although scientists are almost sure there are other carriers these are the only proven media. Patients who have once had polio are usually immune to it.

Polio strikes most at children under 16, although not always. The late President Roosevelt was in his middle years when he contracted the disease. This is how the disease got its not always correct name of "infantile paralysis."

CALIFORNIANS may claim that this photo was taken with the aid of a magnifying glass but Selma Rocker, Orange festival queen of Bartow, says that the citrus fruit happens to be much bigger this year than ever before. (International)

THERE ARE HALF a dozen symptoms of the disease. Usually the patient experiences three or more of them. Most common are stiffness of the neck, headache, backache, aching muscles, occasional nausea and vomiting, diarrhea and weakness of the extremities.

Scientists have divided polio into five stages progressing all the way from the mild sub-clinical stage to the most serious stage, bulbar. The sub-clinical is so mild that it often goes unrecognized and the disease clears up on its own accord. Many cases are never recorded, Dr. Hollowell says. In the bulbar stage the nerve centers in the brain are attacked. Fatalities occur most often in this stage. Most peculiar stage is the lethargic, where the patient exhibits symptoms of sleep sickness.

Polio does not always leave twisted limbs in its wake. Of the 13 or 14 cases in Pinellas last year (exact figures are not available) eight escaped unscathed. Every fourth or fifth case will be deformed.

DR. HOLLOWELL says 12 to 15 cases in Pinellas this year would before the epidemic stage is reached. The disease is more likely to spread in thickly populated areas.

The only way that medicine has of recognizing the presence of the virus unless the disease has already struck, is to inject suspected matter into monkeys.

Although Dr. Hollowell or any other doctor will frankly tell you that science knows too little about polio, an ever growing army of research men is learning more and more about the disease every day. To scientists it is not the bugaboo it once was. It is an enemy, a strong enemy true, but one that will someday fall among the conquered with others of its kind.

Extension Of Selective Service

Differences between senate [illegible] extending selective service are so [illegible] conference committee to [illegible] a compromise version in time for action before the recently extended expiration date.

The most controversial issue concerns [illegible] year-olds, but there are many other [illegible] provoke extended discussion are as follows:

HOUSE VERSION	SENATE VERSION
Continues act to February 15, 1947.	[illegible] act to [illegible]
Ages subject to registration and induction 20 to 30.	Ages [illegible] 18 to 44.
Postpones all inductions from July 1 to October 15, 1946.	Provides [illegible]
Exempts all fathers with legitimate children.	[illegible]
No provision for pay increase.	Provides [illegible]
HR 6084, has passed the house.	Provides increase from present $50 to $80 per month for [illegible] with corresponding increases in navy and marine corps.
No "occupation to detriment" except agricultural workers.	Exempts also scientists and science students under certain conditions to be prescribed by the president.

Instead of starting with the bill which was passed by the house on April 15, the senate has had under consideration its own bill S 2057 which was reported by its Military Affairs committee April 11. After completing action on numerous amendments the senate voted to substitute its own bill in its entirety for the house bill, thus opening the way for action by a conference committee.

Crummer Deserved A Fair Trial

Roy E. Crummer, wealthy Orlando hoad dealer, has been abruptly freed of mail fraud charges in a case that will make many Floridians marvel at the wondrous workings of the U. S. department of justice.

Indicted in 1944 Crummer was later successful in getting the indictments quashed by a federal district judge on the ground they were vague and indefinite.

But the government apparently convinced it had a good case against the man who has refunded more than $170,000,000 in Florida bonds—appealed the district court ruling to the U. S. circuit court of appeals.

(Crummer's bond refundings have been the subject of endless controversy in Florida, for more than 15 years. Some have said he has enriched himself at the expense of Florida taxpayers and that some of his refundings have been so favorable to himself and the bondholders that needed roads, school houses and other public improvements have had to be postponed indefinitely. Crummer and his associates claim the refundings actually have helped the state.)

And in November of 1945 the appeal was upheld on virtually all counts and the case was ordered back to the lower court for trial.

The department of justice apparently had won a smashing victory and Floridians who had followed the matter felt certain that Crummer would go on trial. He would then either be found guilty and sent to jail or he would be acquitted and his name cleared of any stigma resulting from the indictment.

The case rocked along without any visible development until Monday—then the charges were suddenly dismissed at the request of the justice department.

What happened between Nov. 2, 1945 when the government was successful in having the indictments reinstated and June 10, 1946—when the government suddenly asked that the case be dropped?

Nobody knows and the justice department isn't talking.

When The Times asked the Associated Press at Kansas City, Kan., for more information about the justice department's reason for dropping the case the AP sent us this story published here in its entirety:

"Pressed for an explanation as to why the Crummer case was dismissed, Assistant U. S. Attorney General Eugene W. Davis said: 'I can elaborate no further than to say that the case was dismissed at the direction of and on the authorization of the attorney general after due consideration of the department of justice and all parties involved.'"

That doesn't tell much — it doesn't say what made the justice department reverse its attitude so completely between Nov. 2, 1945 and June 10, 1946.

But during that time there were unmistakable indications that intricate political strings were being pulled to help Roy E. Crummer.

The first sign of this was the appointment of a senatorial investigating committee to determine whether the post office department and securities exchange commission inspectors had overstepped themselves in gathering the evidence that brought about the indictments.

This committee—named ostensibly to determine whether the federal inspectors had damaged the credit of Florida cities and counties by investigating Crummer refundings—did its best in several Florida hearings to prove that Crummer was the victim of political persecution.

It also sought to show that the inspectors had interfered with the operation of the Municipal Bankruptcy act by inquiring into the refundings.

Both contentions were pretty well spiked, however, when E. J. Mansfield, veteran St. Petersburg postal inspector, submitted a statement that all the refundings were completed and all the bonds sold before the investigations started.

So the committee hearings, launched with considerable fanfare, trailed off into [illegible].

The resolution creating the committee was introduced by Senator McCarran, Nevada Democrat at the request of Senators Andrews and Pepper of Florida.

--AVIATION--

Air Migration Planned

[illegible]

Law Gives Judges Right Of Censor, State Editors Told

Florida publishers were told last week in Miami Beach that state law gives to "any judge the right of censorship over your news and editorial columns."

John D. Pennekamp, associate editor of the Miami Herald, who was held in contempt of court for writing vigorous editorials analyzing court decisions, said the 1945 legislature amended the law on contempt of court to read: "whether such contempt be direct, indirect or constructive, and in any such proceedings the court shall procede to hear and determine all questions of law and fact."

Occasion for Pennekamp's remarks was a meeting of the Associated Dailies of Florida in Miami Beach.

Pennekamp asked:

"Did you know that law was being changed in that significant way? I didn't either. Nor in fact did our correspondents in Tallahassee.

"I have made some investigation of the circumstances. Some legislators to whom I have talked were unaware that the bill had been passed. It came out of a judiciary committee, but I have been unable to learn how it got there.

"Actually, of course, the law is an unvarnished effort to give to the courts all of the despotic power which some of them have assumed in excess of that accorded to the legislative and administrative branches of the government. It is an attempt by them to arbitrarily control your reporting and your thinking.

"Your freedom, your independence, your right to inform and to be informed you leave outside the door as you enter to take your orders.

Of such things are born the inspirations of totalitarianism; they are the whip and the scourge that break men and make menials."

Pennekamp declared that the law now on Florida's statute books helps to build the reputation for backwardness "which our traducers attempt to assign to the south", and a vindictive judge could proceed under it "knowing full well that in the end he must fail, and knowing, too, that you may shirk from the fight or be financially unequal to it, and thus he and his will can prevail over you to the measure of his desire".

He added:

"When is a newspaper in contempt? I would say it is never in contempt as long as it is reporting the facts and honestly discussing, analyzing and commenting upon them even to the point of expressing opinions.

"I would say further that when our service to our readers is less than that we are in contempt of ourselves and of our obligation to our profession."

A resolution was adopted by the Associated Dailies which will request the next legislative session to repeal the section of state law discussed by Pennekamp.

L. C. Brown of the St. Petersburg Independent told the group how his newspaper and the St. Petersburg Times continued to publish each day in face of a composing room strike.

Robert W. Bentley of the Bradenton Herald was elected president of the Associated Dailies, to succeed David E. Smiley, publisher of the Tampa Daily Times who served for three years during the war emergency.

Joe Cawthon of the Orlando Sentinel-Star was elected vice president. He succeeded the late George D. Lindsay, publisher of the Sarasota Herald-Tribune. J. M. Elliott of the Florida Times Union, Jacksonville, was returned to the office of treasurer, and V. J. Obenauer Jr., was renamed secretary.

Smiley was made a member of the board of directors. Others elected to the board were James L. Knight, Miami Herald; Brown of the St. Petersburg Independent; J. S. Mims, Tampa Morning Tribune; A. W. Smith, Lakeland Ledger; Herbert M. Davidson, Daytona Beach News-Journal, Carl Hanlon, Fort Myers News-Press; Irwin Simpson, St. Petersburg Times, and H. D. Leavengood, Ocala Star-Banner.

Two newspapers became members of the Associated Dailies. They were the Fort Pierce News-Tribune and the Miami Beach Sun.

--CRIME--

Murder Charges Filed In Miami Beach Shooting

First degree murder charges were filed yesterday against Joseph D. Bartley, 33, Miami Beach, in the death of Lt. Owen Teevan, 35, Newark, N. J., who was wounded fatally in a Miami Beach hotel patio June 2.

Bartley's estranged wife, Mrs. Mildred Bartley, 25, testified at an inquest that the army lieutenant whom she had met less than an hour before leaped from his chair and pushed her away when her husband threatened her with a gun.

She testified that she ran down a hallway, heard two shots and then returned to find Teevan lying face down on the floor. Bartley was arrested a short while later.

Lt. Teevan died Sunday of a bullet wound in the stomach.

Immediately after the inquest, Mrs. Bartley conferred briefly with her husband whom she had filed divorce proceedings against Feb. 13 after seven years of marriage.

Later she said she planned to go through with the divorce.

Polio Cases Near 200, Hot Weather Is Feared

Number of infantile paralysis victims in Florida neared 200 last week and health officials feared the event of hot weather would do little to stop the spread of the disease which has reached near-epidemic proportions in some areas.

Key West reported its fifteenth victim yesterday, while Dade county, [illegible] to stamp out the disaster-[illegible] in the city Key West had six new cases on [illegible].

In Dade county, that comprises the greater Miami area, the total rose to 64 with the latest sufferer being a 17-year-old Negro girl. She was the first case to be reported in four days.

The infantile victim at Jackson memorial hospital in Miami issued a statement urging victims to stay away from Miami because they would be unable to obtain hospital care in the event that they should become ill while in the community. Hospital facilities were termed completely inadequate.

An educational campaign was started to impress upon home owners the importance of enforcing sanitary measures.

Prevalence of the disease has caused North Carolina health authorities to bar Florida children from attending summer camps in that state for fear the disease might be transmitted.

Yesterday the board enacted even more drastic measures when it chose to clap a two-week quarantine on children entering North Carolina from areas where epidemics of polio are raging.

Dr. Carl V. Reynolds, North Carolina health officer, had said we do not want to run any risk of a recurrence of what happened in this state in 1944 when North Carolina had a serious polio epidemic."

Earlier, Miami health authorities had advised parents not to bring their children to the area. But it was emphasized there was no need for parents to get their children out.

--INTERESQUE--

She Had Heart Of Stone But He Loved Her True

Romance of Dick Drake, the prodigal duck, is on the rocks.

Two weeks ago, Dick strayed from the home of his Miami Beach owner. Ten days later he waddled into the yard of a Miami Springs couple about six miles away (as the duck flies).

That's where Dick met his downfall. In the yard, Dick beheld a beautiful lady duck. He fell hard, quacking madrigals at a furious rate. The lady was silent. Dick's ardor left her cold.

Unabashed, Dick persisted in his love songs day and night . . . until a newspaper story about his unrequited wooing reached the eye of his owner. The owner promptly reclaimed him.

Dick's trouble was that the lady had a heart of stone. Or concrete, rather. Just a decoy, Dick, a phony.

--LABOR--

Sugar Growers Can't Raise Wages

Charging that labor costs in production of sugar had risen nearly 250 per cent while the return to the grower had gone up only about 70 per cent during the last four years, Clewiston sugar growers advocated no change in the wage rates to be paid workers in the cane fields at a department of agriculture hearing yesterday. Present minimum is 35 cents an hour.

Testifying for the United States Sugar corporation, Josiah Ferris Jr., assistant to the president of the concern, said that his company was almost entirely dependent upon West Indies labor here under contract between the British colonial government and the department of agriculture, for the cane harvesting.

Domestic labor is unavailable largely because of the lure of the industrial area and unemployment compensation paid discharged war veterans and industrial workers, he said.

Watson Lashes Case Veto

Attorney General J. Tom Watson told a convention of Florida justices of the peace yesterday in Tampa that President Truman gave way to pressure from organized labor when he vetoed the Case bill to curb strikes.

"Instead of performing his duty under the dictate of public mindled consciousness, he did so under group consciousness—and that group was organized labor," said Watson.

Meanwhile in Little Rock, Attorney General Guy Williams of Arkansas said he would not call a meeting of the Southern Regional Association of Attorneys General to consider action against "a labor invasion of southern politics."

Williams, president of the association, said he had received a request for such a conference from Watson.

--EDUCATION--

Teachers To Get Raises

School teachers in at least 41 Florida counties will receive an average 10 per cent salary increase for the 1946-47 scholastic year, a state department of education survey shows.

Many counties will provide the boost from their share of the race track tax revenue collected during the year's banner season while others will increase general millage levies.

Rates of increase in counties reporting ranged from a 30 per cent hike in Polk county to five per cent in Suwannee, Bradford, Taylor and Hendry counties.

Bay, Dade, Duval, Escambia, Liberty, Okeechobee, Orange, Palm Beach, Union and Volusia counties were not yet ready to report on possible salary increase while Baker, Broward, Columbia, DeSoto, Gilchrist, Jefferson, Levy, Monroe, Okaloosa, Osceola, Pasco, Santa Rosa, Sumter, Walton and Washington county school officials said no increases were planned.

Counties reporting increases included:

Alachua, Bradford, Brevard, Calhoun, Charlotte, Citrus, Clay, Collier, Dixie, Flagler, Franklin, Gadsden, Glades, Gulf, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Holmes, Indian River, Jackson, Lafayette, Lake, Lee, Leon, Madison, Manatee, Marion, Martin, Nassau, Polk, Putnam, St. Johns, St. Lucie, Sarasota, Seminole, Suwannee, Taylor and Wakulla.

Although no flat increase was granted Pinellas county teachers the new budget calls for hikes of from $200 to $400 yearly based on years experience in the system.

--COURTS--

Bailey Execution Stayed

Leo Bailey, whose execution for the Panama City main street slaying of F. A. Toney has been delayed for nearly three years by an almost uninterrupted series of court appeals, won another brief respite yesterday.

The state pardon board recommended that Governor Caldwell defer issuing a death warrant in the case for a week until Attorney General Tom Watson could check on a statute which Bailey's lawyers suggested might entitle him to a life, instead of a death sentence.

--INDUSTRY--

New Products May Come From Florida's Wilds

Possible new commercial products from Florida's woods and swamplands are described by James L. Orr, managing director of the Miami research foundation, who says the southern counties could produce enough to support a population of 5,000,000.

Orr declared that wood products could be utilized to fill scores of needs and bolster the economy of a section that has looked on tourism as its chief source of revenue.

He cites experiments to show that while pulpwood is a great and coming industry the same acre that produces $15 worth of pulp could be made to yield $300 worth of mahogany in a year. Florida mahogany is of the best grade, he says and can be grown on millions of acres.

Orr says that the Australian pine, grown widely in South Florida, is heavier and more dense than teakwood, and can be used for the same purposes. The mangrove can be a major source of tannin for the tanning and chemical industries, and is also a good building wood.

A tung nut, which Florida could produce commercially, not only yields the finest tung oil for varnishes, Orr says, but is edible. In contrast, tung grown in North Carolina is poisonous.

The native malaleuca tree, numerous in the Everglades, produces a fine insulator from its bark, he reports. It is a hard-grained wood, and it leaves produce valuable medicinal oils which are now imported. It grows three to four times as fast in Florida as elsewhere.

The foundation, a non-profit branch of Ties association, is currently conducting a survey of South Florida to determine prospects for future developments.

--AGRICULTURE--

Florida Dairymen Combine

In Tampa yesterday Ernest R. Graham, Miami, was elected president of the Florida Dairy Industry association, a consolidation of the Florida State Dairy association and the Florida State Dairymen's association.

Consolidation was voted Wednesday night at a joint meeting of directors of the two organizations. New organization will have 15 directors with equal representation for producers, producer-distributors and distributors.

--COURTS--

Bailey Commutation Denied

Attorney General Tom Watson said yesterday there is no law providing for the commutation of Leo Bailey's death sentence by virtue of the fact that three justices of the supreme court dissented in upholding his conviction for the slaying of F. A. Toney.

Watson filed his memorandum after one of Bailey's attorneys suggested to the pardon board at a hearing Tuesday that the case might be influenced by an old law providing for commutation when three justices voted against affirming a death sentence.